ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

¸A¥Àl 155 Volume 155	ಬೆಂಗಳೂರು, ಗುರುವಾರ ,5, ಮಾರ್ಚ್, 2020 (¥ÁºÀÄt 15, ಶಕವರ್ಷ ೧೯೪೧) Bengaluru, THURSDAY, 5, MARCH, 2020(Phalguna 15, ShakaVarsha 1941)	¸AaPÉ 10 Issue 10

¨sÁUÀ 4J

gÁdå «zsÁ£ÀªÀÄAqÀ¼À ªÀÄvÀÄÛ CzsÀåPÀëgÀ C£ÀÄªÀÄwAiÀÄ ªÉÄÃgÉUÉ, gÁdåzÀ ±Á¸À£ÀªÁV ¥ÀæPÀlUÉƼÀî¨ÉÃPÁzÀ ±Á¸À£ÀUÀ¼ÀÄ, gÁdåzÀ ¸ÀPÁðgÀzÀ ºÉÆgÀr¹zÀ ¸ÁªÀiÁ£Àå ±Á¸À£§zÀÞ ¤AiÀÄªÀÄUÀ¼ÀÄ ªÀÄvÀÄÛ gÁeÉåAUÀ ªÀÄÆgÀÄ gÁdå¥Á®gÀÄ ªÀiÁrzÀ ¤AiÀÄªÀÄUÀ¼ÀÄ ºÉÆgÀvÀÄ PÉÃAzÀæ GzÉÆåÃUÀ£ÁAiÀÄ ªÀiÁrzÀ ¤AiÀÄªÀÄUÀ¼ÀÄ

GOVERNMENT OF KARNATAKA
(Department of Commercial Taxes)

No: ADCOM(Audit)/C/CR-324/19-20

Office of the
Commissioner of Commercial Taxes
(Karnataka), Vanijya Terige Karyalaya,
Kalidasa Road, Gandhinagar,
Bengaluru-560009, Dated: 13-02-2020.

NOTIFICATION

Whereas sub-section (1) of Section 38 of the Karnataka Value Added Tax Act 2003 provides that every dealer shall be deemed to have been assessed to tax based on the return filed by him under Section 35, except in cases where the Commissioner may notify the dealer of any requirement of production of books of accounts before the prescribed authority in support of a return filed for any period and such authority shall proceed to assess such dealer.-

a) on the basis of the return filed, where he is satisfied that the return filed is correct and complete, or

b) to the best of its judgment, where the return filed appears to be incorrect or incomplete, after giving the dealer an opportunity of showing cause against such assessment in writing and any additional tax assessed shall be paid within thirty days from the date of service of such assessment on the dealer.

Whereas different industrial policies of the Government provide for incentives and concessions in the form of tax exemption or tax based loan or re-imbursement of tax paid to new industrial units and also for additional investments made for expansion/ diversification/modernization.

Whereas such industrial policies and certificates issued also provide that the industrial unit shall submit all the documents, accounts to the local VAT/LGST officer for audit and the eligible amount as confirmed by the Commissioner of Commercial Taxes, for a particular period, will be considered for re-imbursement from the department.

Whereas the Commissioner of Commercial Taxes vide Notification No. IPI/CR/51/ 2010-11(I), dated: 24.03.2014, has notified that every registered dealer who is an industrial unit claiming tax incentive including tax exemption or tax based loan or re-imbursement of tax paid under any of the industrial policies of the State Government shall be required to produce accounts in support of the return filed by him for all the tax periods during which he is claiming such tax incentives.

Now, therefore, in exercise of the powers conferred under sub-section (1) of Section 38 of the Karnataka Value Added Tax 2003 (Karnataka Act 32 of 2004), read with sub-rule (a) of rule 45 of the Karnataka Value Added Tax Rules 2005 read with CCT Circular No.GST-15/ 2018-19 dated:26-02-2019, it is hereby notified that the dealer listed in the table below is required to produce accounts, before the prescribed authority mentioned against the name of the dealer, in support of a return filed for any period of assessment by such authority:

Sl.No.	Name and Address of the Dealer	TIN/GSTIN	Prescribed authority
1	M/s. Ultratech Cement(Unit Rajshree Cement Works), Adityanagar, Sedam Taluk, Malkhed Road, Kalburgi District,	29560318931	Local Goods & Service Tax Office-522, Sedam. Division, GST Office, Bengaluru.

(SRIKAR M.S),
Commissioner of Commercial Taxes,
(Karnataka), Bengaluru.

PR-72

GOVERNMENT OF KARNATAKA

NO. CO 19 MRE 2019

Karnataka Government Secretariat
M.S.Building,
Bangalore, dated:25.02.2020

NOTIFICATION

Whereas the draft of the following rules further to amend the Karnataka Agricultural Produce Marketing (Regulation of Allotment of Property in Market Yards) Rules, 2004 which the Government of Karnataka proposes to make in exercise of the powers conferred by sec.146 of the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act No.27 of 1966) was published as required by sub-section(1) of the said section in notification No:SAE/19/MRE/2019, dated:12/12/2019 in part-IV-A in Karnataka Gazette dated:16th day of January 2020 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in the official Gazette.

And whereas the said Gazette was made available to the public on dated:16th day of January 2020.

And whereas, no objections or suggestions have been received in respect of the said draft.

Now, therefore, in exercise of the powers conferred by sub-sec(1) of Section 146 of the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966) the Government of Karnataka hereby makes the following rules namely:-

RULES

1. **Title and commencement**:- (1) These rules may be called the Karnataka Agricultural Produce Marketing (Regulation of allotment of Property in Market Yards) (Amendment) Rules 2019.
   (1) They shall come into force from the date of their publication in the official Gazette.
2. **Amendment of rule 7.-** In the Karnataka Agricultural Produce Marketing (Regulation of Allotment of Property in Market Yards) Rules, 2004 (hereinafter referred to as the said rules) in Rule 7, in sub-rule(1), after the word "organization", the words, brackets and figures "Farmer-Producer Organization registered under section 581A of the Companies Act, 1956 (Central Act 01 of

1956) or under first proviso to sub-section(1) of section 465 of the companies Act, 2013" shall be inserted.

3. **Amendment to Rule 17.-** In rule 17 of the Karnataka Agricultural Produce Marketing (Regulation of Allotment of Property in Market Yards) Rules, 2004 (hereinafter referred to as the said rules),-

   (i) Rule 17(2) shall be numbered as "17(2)(a)".

   (ii) after Rule 17(2)(a), the following shall be inserted, namely.-

   "(2)(b) Out of sites, shops, shop-cum-godown or godown to be allotted by the market committee, about ten percent may be reserved in each category for allotment in favour of Farmer-Producer Organizations not less than fifty percent of the site value fixed under rule 5 or leave and license fee fixed under rule 13(5) as the case may be."

By Order and in the name of the
Governor of Karnataka

(B.S. Manjunath)
Under Secretary to Government-1
Co-operation Department

PR-73

GOVERNMENT OF KARNATAKA

NO. FEE 70 FPC 2018(P-2)

Karnataka Government Secretariat,
Multi Storeyed Building,
Bengaluru, Dated:21-12-2019.

NOTIFICATION

In exercise of the powers conferred by clause (c) to sub-rule (2) of rule 16 of the Zoo Authority of Karnataka Rules read with clause (l) and (r) of article 3 of the memorandum of articles of the Zoo Authority of Karnataka, with prior approval of the State Government and in supercession of earlier regulations issued in this behalf, the Governing Council of the Zoo Authority of Karnataka hereby makes and adopt the following rules, namely:-

RULES

1. Title, commencement and application:- (1) These rules may be called the Zoo Authority of Karnataka (Cadre and Recruitment) Rules, 2019;

(2) They shall come into force from the date of its publication in the official Gazette;

(3) The provisions of these rules shall apply to all the employees of the Zoo Authority of Karnataka:

Provided that, unless so provided in these rules, these shall not apply to persons employed on daily wages, casual labour, part-time employees, contract employees, if any, and apprentices or trainees working in the Zoo Authority of Karnataka.

CHAPTER- I

PRELIMINARY

2. Definitions.- In these rules, unless the context otherwise requires,-

(a) **"Appointing Authority"** means competent authority to make appointments to posts in the Zoo Authority of Karnataka i.e., Member Secretary, Zoo Authority of Karnataka;

(b) **"Confirmation"** means a probationer who has been declared to have satisfactorily completed his probation and shall be continued against substantive vacancy;

(c) **"Direct recruit"** means a person recruited directly in accordance with the provisions of these rules;

(d) **"Employee"** means any person in the whole time employment of Zoo Authority of Karnataka;

(e) **"Executive Director"** means Executive Director of the Zoos under the Zoo Authority of Karnataka;

(f) **"Government"** means the Government of Karnataka;

(g) **"Head Office"** or **"Central Office"** means the office of the Member Secretary, Zoo Authority of Karnataka;

(h) **"Memorandum of Association"** means Memorandum of Association of the Zoo Authority of Karnataka and includes rules made thereunder;

(i) **"Member Secretary"** means the Member Secretary of the Zoo Authority of Karnataka;

(j) "**Officiating Appointment**" means appointment of an employee in a promotional post by the competent authority to perform the duties of a higher post;

(k) "**Permanent Employee**" means an employee whose services are confirmed in writing against substantive post of the Zoo Authority of Karnataka, by the competent authority;

(l) "**Permanent Post**" means a substantive post created by competent authority without specifying any definite period;

(m) "**Probationer**" means a person employed on probation and also includes employee who is on an extended period of probation against a sanctioned substantive post;

(n) "**Promotion**" means appointment of an employee in service by competent authority from one cadre to another cadre carrying higher pay scale in accordance with these rules;

(o) "**Promotion Committee**" means a committee constituted under these rules by the competent authority for the purpose of selection of employees for promotion;

(p) "**Recruitment or Selection Committee**" means a committee constituted under these rules for the purpose of selection of personnel and the procedure for appointment to the posts to be filled by direct recruitment, as provided in these rules;

(q) "**Registered Office**" means the Registered Office of the Zoo Authority of Karnataka;

(r) "**Sanctioned Strength**" means number of posts sanctioned in various scales or categories by the competent authority in respect of each Zoo or Unit etc., of the Zoo Authority of Karnataka;

(s) "**Schedule**" means Schedule appended to these rules;

(t) "**Society**" means "**the Zoo Authority of Karnataka**" registered under the Karnataka Societies Registration Act, 1960; and

(u) **"Zoo Authority of Karnataka"** means the Zoo Authority of Karnataka which includes all its constituent units or Zoos, under its jurisdiction.

CHAPTER- II

CLASSIFICATION OF POSTS AND SERVICES

3. Pay scale and classification of services:- (1) The scales of pay and categories of posts in Group (A, B, C, D) in the various posts of the Zoo Authority of Karnataka shall be classified as specified under sub-rule (2) based on the

scales of pay accorded to it, taking into consideration the financial resources of the Zoo Authority of Karnataka. The present scale of pay in the Zoo Authority of Karnataka is as per the Karnataka Civil Services (Revised Pay) Rules, 2018 and related orders as contained in Government Order No. FD 06 SRP 2018 Bangalore dated: 19-04-2018 and as revised by the Government from time to time.

(2) The posts in Zoo Authority of Karnataka shall be classified in the following categories, based on the scales of pay.

Group	Posts carrying Pay Scales
A	Rs. 52650-97100 and above
B	Rs. 40900 – 78200 and above, but below 52650-97100
C	Rs.21400– 42000 and above, but below 37900– 70850
D	Rs. 17000-28950 & 18600 – 32600

(* Group-wise details of different category of Posts have been furnished in Schedule-II)

(3) Employees shall be granted such Dearness Allowance, House Rent Allowance and City Compensatory Allowance etc., as admissible to Government servants as per rules.

(4) Subject to the modifications in schedule-III of these rules, the Karnataka Civil Service Rules and the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 shall mutatis mutandis be applicable to the employees of the Zoo Authority of Karnataka.

CHAPTER- III

4. Cadre Strength and scales of pay of the posts, method of recruitment and qualification:- The establishment of the Zoo Authority of Karnataka shall consists of various categories of posts with scale of pay specified in column (2) of Schedule-I and their number, the method of recruitment and minimum qualification and experience required shall be as provided in columns (3), (4), (5) and (6) thereof.

CHAPTER- IV

5. General conditions relating to direct recruitment:- The following general conditions shall apply to all direct recruitment to the posts in the Zoo Authority of Karnataka, namely:-

(a) A candidate for appointment in the service of the Zoo Authority of Karnataka shall be a citizen of India other than a person of any other nationality or any other person as notified by the Government, from time to time.

(b) **Age limit:-** No person shall be eligible for appointment unless he has attained the age of eighteen years. The maximum age limit for entry into the services of the Zoo Authority of Karnataka shall be thirty five years for the persons belonging to General merit, thirty eight years for the persons belonging to Other backward classes and forty years for the persons belonging to

scheduled castes or scheduled tribes category or as prescribed by Government, from time to time. However, in respect of in-service personnel, the age limit shall be relaxed by the number of years during which he is or was holding such post or ten years, whichever is less.

(c) No person shall be appointed unless he has been certified to be medically fit to discharge his duties, by an authorised medical officer.

(d) No person shall be eligible for appointment who has been convicted in a court of Law for any offence involving moral turpitude or he has been previously dismissed or compulsorily retired on account of proved misconduct or doubtful integrity.

(e) A person who is married and having a living spouse and got second marriage with any person, shall not be eligible for appointment in the services of the Zoo Authority of Karnataka.

(f) Without prejudice to the general provisions specified in these rules, no person shall be appointed unless the Appointing Authority is satisfied that the person is fit for appointment in all respects. The decision of the Appointing Authority shall be final.

(g) All the appointments shall be subject to verification of their character and antecedents. In case of an adverse report, the services of the employee, if already appointed shall be liable for termination.

(h) The directions of the Government from time to time relating to recruitment or promotion or seniority to the various posts shall be adhered to.

CHAPTER- V

6. Reservation of vacancies:- (1) Appointments or posts shall be reserved for the members of the scheduled castes, scheduled tribes and other backward classes to such extent and in such manner as may be specified by the Government under Article 16(4), Article 16(4A) and Article 371J of the Constitution of India.

(2) Reservation of vacancies, age, qualification, etc., in so far as it relates to and employment of physically handicapped persons shall be regulated as per directions of the Government, from time to time.

CHAPTER-VI

7. Direct recruitment:- (1) When a post other than First Division Assistant, Second Division Assistant, Stenographer and Typist is to be filled by the method of direct recruitment, it shall be filled on the basis of merit by following the rules as specified in the Karnataka Civil Services (Direct Recruitment by Competitive Examinations and Selection)

(General) Rules, 2006 and the Karnataka Public Employment (Reservation in appointment for Hyderabad-Karnataka Region) Order, 2013 issued vide Notification No. DPAR 06 PLX 2012 Bangalore, dated: 06-11-2013 and as amended from time to time.

(2) Direct recruitment vacancies shall be notified in accordance with these rules. Eligible applicants who possess the required qualifications and experience can apply. Such departmental candidates shall be treated at par with outside candidates. The direct recruitment shall be conducted through advertising in newspapers and other media.

(3) All the notified vacancies shall be displayed on the Notice Board of Zoo Authority of Karnataka.

(4) Candidates shall be shortlisted on the basis of marks secured by the candidates in the qualifying examinations. The number of candidates called for skill based test or written test shall be three times the number of vacancies, subject to calling candidates belonging to scheduled castes, scheduled tribes and other backward classes in the same ratio to the extent vacancies are reserved for them.

(5) Interviews or skill tests shall be held by the Recruitment Committee of the Zoo Authority of Karnataka constituted by the competent authority, from time to time.

(6) The practical tests for skill oriented posts shall be conducted with reference to the job content of the post for which selection is being considered and interview shall be conducted to test the suitability of the candidate to the post for which selection is being considered.

(7) The following posts of Group C and D category are basically skill oriented posts and recruiting personnel must have the knowledge of animal behaviour, health, attitude besides knowledge in handling of animals etc., Hence, experience is also one of the main criteria to be considered while recruiting the personnel. Accordingly, special qualifications like working experience in Zoo prescribed for the following posts. The Recruitment Committee constituted at the time of recruitment shall assess the suitability of the candidates, professional knowledge, experience, performance in practical or written test in the order of merit as prescribed in mode of recruitment for these posts and the qualifications prescribed and the number of posts etc., as in the Schedule-I.

1) Junior Lepidopterist
2) Education Officer
3) Biologist
4) Animal Supervisor (Inventory)
5) Librarian (Assistant)
6) Animal Keeper

7) Assistant Animal Keeper

8) Mahouts

9) Kavadi

10) Gardener

(8) The Recruitment Committee shall decide for selection of candidate, as far as possible in accordance with the Karnataka Civil Services (Direct Recruitment by Competitive Examinations and Selection) (General) Rules, 2006. After the selection process, the Recruitment Committee shall send the select list along with waiting list of candidates not exceeding ten percent of the vacancies notified, to the appointing authority for further process.

(9) The Appointing Authority shall issue the appointment order, in the Order in which their names appear in the selection list after verifying the antecedents and other certificates of the applicants to the satisfaction and medical fitness of the candidates.

CHAPTER-VII

8. Recruitment Committee for direct recruitment:-

(1) Composition:- Direct recruitment to any vacancies, specified as such in the Schedule in the Zoo Authority of Karnataka shall be made by the Appointing Authority on the basis of the recommendations of the Selection Committee. The Selection Committee for making direct recruitment shall consist of the following, namely:-

(i) Executive Director, Bannerghatta Biological Park, Bengaluru shall be the Chairman of the Selection Committee;

(ii) Executive Director, Sri Chamarajendra Zoological Gardens, Mysuru shall be the Secretary of the Committee;

(iii) Assistant Director (Veterinary Services), Sri Chamarajendra Zoological Gardens, Mysuru or Bannerghatta Biological Park, Bengaluru; and

(iv) District Social Welfare Officer, Mysuru.

(2) Selection Procedure:-

(a) Selection to the category of posts of First Division Assistant and Second Division Assistant shall be filled in accordance with the Karnataka Civil Services (Recruitment to Ministerial Posts) Rules, 1978.

(b) Selection to the category of posts of Stenographer and Typist shall be filled in accordance with the Karnataka Civil Services (Recruitment to posts of Stenographers and Typists) Rules, 1983.

(c) In respect of posts other than those filled under sub-rule (2) (a) and (b) shall be filled by selection made by Selection Committee constituted under sub-rule (1) in accordance with the Karnataka Civil Services

(Direct Recruitment by Competitive Examinations and Selection) (General) Rules, 2006.

(d) The Appointing Authority shall issue appointment orders to the candidates in the order of merit.

(e) The appointments shall be made on probation and the period of probation shall be one year which may be extended by another year at the discretion of the Appointing Authority in pursuance of the Karnataka Civil Services (Probation) Rules, 1977. During the period of probation or extended period of probation, the Appointing Authority may discharge the services of the probationer without assigning any reason whatsoever by giving one month's notice in case of Executives and non-Executives who have put in more than ninety days of service. One day's notice shall be given in the case of other non-executives who have put in ninety days or less service. The probationer may likewise quit the services of Zoo Authority of Karnataka by giving one month's notice in the case of Executives and those Non-Executives who had put in ninety days of service. One day's notice shall be given by the non-executives who have put in ninety days or less period of probation. Pay in lieu of notice may also be given by either party to each other.

(f) The candidate found guilty of impersonation or submitting fabricated documents or making statement which are incorrect or false or attempt to use unfair means for purpose of recruitment shall be liable to criminal prosecution and his candidature is liable to be rejected, or if already appointed, his services are liable to be terminated without giving any benefits whatsoever.

(g) Joining time for reporting for duty shall be thirty days from the date of dispatch of the appointment order. However, in exceptional cases, the Appointing Authority for reasons to be recorded in writing may extend the period of joining time.

(3) Disciplinary proceedings for misconduct: Anything which is done or left undone by an employee contrary to rules, such as, an act or omission or remaining neutral, negligence, collusion or any kind of behavior with or without reason by an employee of Zoo Authority of Karnataka resulting in loss, fraud, embezzlement, damage to property etc., to Zoo Authority of Karnataka, public and others or causing agony, embarrassment, nuisance, torture etc., amounts to misconduct, can be dealt under the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 subject to modification specified in Schedule-II and the Karnataka Civil Services (Conduct) Rules, 1966 which are applicable to Zoo Authority of Karnataka employees for disciplinary action, following due procedure as prescribed in the said rules, as amended by the Government from time to time. The officers or officials on deputation are subjected to the Zoo rules & regulations and for any misconduct shall be dealt with under the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 by following the procedure. The details of Appointing Authority, Disciplinary Authority and

Appellate Authority to the employees of the Zoo Authority shall be as specified in schedule – II.

CHAPTER-VIII

9. Promotion committee:- (1) Promotion committee for various posts of Zoo Authority of Karnataka employees shall comprise of the following, namely:-

(i) Executive Director, Bannerghatta Biological Park, Bengaluru; Chairman

(ii) Executive Director, Sri Chamarajendra Zoological Gardens, Mysuru; and secretary of the committee

(iii) Assistant Director (Veterinary Services), Sri Chamarajendra Zoological Gardens, Mysuru or Bannerghatta Biological Park, Bengaluru.

(2) In making promotion, the guiding principles shall be to ensure that suitability of the candidates for promotion shall be decided on an objective and impartial manner.

(3) While considering for promotions (among other things) the Annual Performance Reports for the previous five years shall be taken into account.

(4) Promotion shall be on the basis of seniority cum merit as per existing rules and regulations. An employee shall not be eligible for promotion wherever his overall grading in any of his Annual Performance Reports for the preceding five years is found unsatisfactory or below average or poor or that he is physically or mentally not able to carry out the duties as required.

(5) The Selection Lists shall be valid for a period of one year from the date of its approval. The validity period of the Selection Lists may be extended by six months with the approval of the Member Secretary.

(6) The Promotion committee shall submit its recommendation to the Appointing Authority who may approve in full or part or set aside its recommendations. The Appointing Authority shall record its reasons in writing while setting aside the recommendations, partly or wholly, and may appoint a higher level Committee to review the recommendations of the Departmental Promotion Committee.

(7) Promotions from the Selection List shall be made by fixing officiating period of one year and the promotee shall be confirmed on satisfactory completion of the officiating period. If during or at the end of this period, his performance is found unsatisfactory the Appointing Authority may extend the officiating period for further period of one year or in the alternative revert him to the post held by him before such promotion.

(8) Eligibility conditions regarding age and educational qualification prescribed for direct recruitment may not generally applicable in the case of promotions. The Appointing Authority, however reserves its right to relax, specify or prescribe such conditions as may be necessary for due performance of the duties of the post. Further, employees who are recruited directly by the Zoo

Authority of Karnataka for the posts with no promotional opportunities shall be provided time bound increment and other monetary benefits, subject to fulfilment of conditions prescribed in the service rules & regulations applicable to the State Government employees.

CHAPTER-IX

10. Seniority:- The Seniority of employees in the same grade shall be determined as follows:-

(1) In case of direct recruits, selected and appointed on the basis of competitive examination or test or interview, the seniority of the candidates shall be determined on the basis of original merit list prepared by the Selection Committee. The Seniority shall be fixed as specified in the Karnataka Government Servants (Seniority) Rules, 1957 and amendments made thereto, from time to time.

(2) On each occasion of promotion, the seniority of promotees shall be determined in accordance with their inter-se seniority in the cadre from which they have been promoted.

(3) The Inter-se Seniority of direct recruit vis-à-vis promotee in the same grade or scale shall be determined on the basis of the date of issue of the appointment order. If the date of order of appointment is the same, then direct recruits shall be placed above the promotees.

(4) **Seniority List:-**Seniority list of all employees of the Zoo Authority of Karnataka shall be prepared cadre-wise by the Appointing Authority and published for information of all the employees, inviting objections, etc., if any, from the employee likely to be aggrieved. After considering the objections and suggestions, the final list shall be issued.

(5) Retirement:- The retirement age on superannuation of the employees of the Zoo Authority of Karnataka, shall be sixty years. An employee shall retire on the last date of the month on completion of sixty years of age, in case, his date of birth falls second and onwards in that month. If the date of birth falls on first of the month, he shall retire on the last date of previous month.

Chapter-X

11. Other rules governing direct recruitment, promotion, etc:-

(1) The Zoo Authority of Karnataka employees applying for the posts earmarked for direct recruitment shall be from a level next below the one to which direct recruitment is to be made, shall be on probation and shall fulfill the academic or professional or technical qualifications and experience required for the post.

(2) Mere completion of the required period of qualifying service in a lower scale shall not entitle any employee to claim promotion to the higher post as a matter of right and such promotion shall be regulated subject to availability of sanctioned vacant posts.

(3) The Appointing Authority may introduce programmes to upgrade the skills of the employees at various levels at Zoo Authority of Karnataka's cost. He may permit leave of absence during the training period and treat such period as on duty.

(4) The Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974 shall mutatis mutandis be applicable to the employees of the Zoo Authority.

(5) A Service Book in Form 18 (Karnataka Civil Services Rules) shall be maintained for each employee of Zoo Authority of Karnataka from the date of his joining to service consequent to the appointment to Zoo Authority of Karnataka Service and it shall be kept in the custody of the Head of the Office in which he is serving and transferred from office to office within the jurisdiction of the Zoo Authority of Karnataka.

(6) Any employee of Zoo Authority of Karnataka is liable for transfer from one Zoo to another Zoo within the jurisdiction of the Zoo Authority of Karnataka, along with the post, if needed as per requirement from time to time.

(7) Appointments on Compassionate Grounds:- The Appointing Authority in Zoo Authority of Karnataka, Mysuru, may consider the appointment on compassionate grounds to the eligible dependent family members of the Group C and D employees of the Zoo Authority of Karnataka, who died while on duty or retired on invalid pension, as per the provisions of Karnataka Civil Services (Appointment on Compassionate Grounds) Rules, 1996 and rule 285 of Karnataka Civil Services Rules and subsequent amendments made thereto from time to time, against the vacancy available within the Zoo Authority of Karnataka, subject to following all the procedures, the criteria and conditions as prescribed by the Government from time to time.

CHAPTER-XI

12. Delegation of Powers:- The Member Secretary or the Executive Director, as the case may be, from time to time may delegate their powers to such officers or executives of the Zoo Authority of Karnataka as they may deem fit.

13. Amendments:- The amendments to the rules may be made by an Authority which made the rules.

14. Application of other rules:- The provisions of the Karnataka Civil Services Rules except the provision for sanction of pension benefits shall mutatis mutandis be applicable to the employees of Zoo Authority of Karnataka.

15. Power to remove difficulties in implementation of rules:- The Member Secretary, Zoo Authority of Karnataka, shall be empowered to issue

such administrative instructions that may be necessary to give effect to and carry out the purposes of these rules without altering its basic structure.

By order and in the
name of Governor of Karnataka,

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department

Schedule - I

(see rule 4)

The details of the various categories of posts, scale of pay, method of recruitment and minimum qualification.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
(1)	(2)	(3)	(4)	(5)	(6)
1	**Member Secretary** (Rs. 182200-224100)	1	0	By deputation from the cadre of Additional Principal Chief Conservator of Forest borne of Indian Forest Service.	-
2	**Executive Director** (Rs. 144200-218200)	1	0	By deputation from the cadre of Chief Conservator of Forests borne of Indian Forest Service.	-
3	**Executive Director** (Rs. 78800-209200)	1	0	By deputation from the cadre of Deputy Conservator of Forests borne of Indian Forest Service. (to Mysuru Zoo).	-
	Executive Director (Rs. 67550-104600)	1	1	By deputation from the cadre of Deputy Conservator of Forests borne of SFS (01 post to Atal Bihari Zoo, 01 post to Shivamogga Zoo).	
4	**Deputy Director /DCF** (Rs. 67550-104600)	1	0	By deputation from the cadre of Deputy Conservator of Forest of State Forest Service.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
5	**Deputy Director (AH&VS)** (Rs. 67550-104600)	1	0	By deputation from Animal Husbandry & Veterinary Services Department.	-
6	**Deputy Director / ACF** (Rs. 52650-97100)	2	0	By deputation from the cadre of Assistant Conservator of Forest of Forest Department.	-
7	**Assistant Director (AH & VS) (Rs. 52650-97100)**	2	0	By deputation from the cadre of Assistant Director or Senior Veterinary Officer of Animal Husbandry & Veterinary Services.	-
8	**Veterinary Officer (Rs. 48900-92700)**	4	6	By deputation from the cadre of Veterinary officer from Animal Husbandry & Veterinary Services Department.	-
9	**Assistant Engineer (Rs. 43100-83900)**	3	0	By deputation from the cadre of Assistant Engineer of Public Works Department.	-
10	**Audit Officer (Rs. 43100-83900)**	1	1	By deputation from State Audit and Accounts Dept.	-
11	**Range Forest Officer (Rs. 40900-78200)**	13	0	By deputation from Forest Department of the cadre of Range Forest officer who has undergone training in wildlife or served in wildlife sanctuaries or National parks.	-
12	**Gazetted Manager (Rs. 40900-78200)**	1	1	By deputation from Forest Department.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
13	**Junior Lepidopterist (for Butterfly Park) (Rs. 40900-78200)**	0	1	By direct recruitment.	1) Must have knowledge of Kannada language. 2) Must possess M.Sc in Agricultural Sciences from a university established by Law in India. 3) Preferably made research contribution in order Lepidoptera or experience in major Butterfly conservation projects. 4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less. 5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					6) Notwithstanding anything contained in Rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:- (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services(General Recruitment) Rules, 1977 in force and as amended from time to time.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
14	**Assistant Horticulture Officer (Rs. 40900-78200)**	1	1	By deputation from Horticulture Department.	-
15	**Accounts Superintendent (Rs. 40900-78200)**	0	1	By deputation from State Audit and Accounts Department.	-
16	**Superintendent (Rs. 37900-70850)**	1	1	By deputation from Forest Department.	-
17	**Biologist (Rs. 37900-78850)**	0	2	By direct recruitment	(1) Must have knowledge of Kannada language. (2) Must be holder of Bachelor Degree in Botany or Zoology or Wildlife Science from a University established by Law in India. (3) Must have working experience of five years in any Zoos. (4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number

					or was holding or working in such post or ten years whichever is less. (5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weight-age of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis / temporary service for number of years of service, subject to a maximum of ten marks. (6) Notwithstanding anything contained in Rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of: (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and (iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.

18	**Education Officer (Rs. 37900-70850)**	0	2	By direct recruitment	(1) Must have knowledge of Kannada language. (2) Must be holder of Bachelor Degree in Zoology or Wildlife Science from a University established by Law in India. (3) Should have working experience of five years in any Zoos. (4)Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977 in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding / working in such post or ten years whichever is less. (5)Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks. (6)Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:- (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and (iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
19	**Lab Technician** (Rs. 30350-58250)	0	2	Mode of Recruitment shall be done with prior approval of State Government.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
20	**First Division Assistant** (Rs. 27650-52650)	2	-	Thirty percent by deputation from Forest Department.	-
		-	5	(1) Thirty five percent percent of posts by direct recruitment. (2) Thirty five percent by promotion from the Cadre of Second Division Assistant.	**For direct recruitment:** Must be a holder of Bachelor Degree from a University established by Law in India and recruitment shall be through KPSC. **For promotion:** Must have put in a service of not less than seven years in the Cadre of Second Division Assistant as per Seniority.
21	**Deputy Range Forest Officer** (Rs. 23500-47650)	17	0	By deputation from the equivalent cadre of Forest Department.	-
22	**Surveyor** (Rs. 23500-47650)	1	0	By deputation from the equivalent cadre of Forest Department.	-
23	**Animal Supervisor (Inventory)** (Rs. 23500-47650)	0	3	By direct recruitment.	(1) Must have knowledge of Kannada language. (2) Must have put in service of five years in any Zoo. (3) Must have passed SSLC and pocess a Certificate in Computer Course. (4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks. (6) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of: (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
24	**Computer Operator**	0	1	Mode of Recruitment shall be done with prior approval of State Government.	-
25	**Librarian (Asst.)** (23500-47650)	1	0	By Direct Recruitment	(1) Must have knowledge of Kannada language. (2) Must have passed Diploma in Library Science. (3) Must have put in service of five years in any Zoo. (4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less. (5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competative examination and Selection) (General) Rules, 2006 weightage of one mark for every completed years of service

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks. (6)Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of: (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and (iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
26	**Horticulture Assistant** (Rs. 23500-47650)	0	2	By deputation from Horticulture Department.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
27	**Animal Supervisor** (Rs. 23500-47650)	0	10	By promotion from the cadre of Animal Keeper.	Must have put in service of not less than seven years in the cadre of Animal Keeper.
28	**Second Division Assistant** (Rs. 21400-42000)	0	6	(1)Sixty seven percent by direct recruitment in accordance with these Rules. (2)Thirty three percent by promotion from the cadre of Attender.	**For direct recruitment:** Must have passed PUC or equivalent examination and recruitment shall be through KPSC. **For promotion:** (1)Must have passed PUC. (2)Must have put in a service of not less than seven years in the cadre of Group-D as per seniority.
29	**Drivers** (Rs. 21400-42000)	1	-	One post by direct recruitment	(1) Must have knowledge of Kannada language. (2) Must have passed SSLC and hold valid Driving License of both LMV and HMV and preferably having experience of not less than five years in driving specially modified vehicle for shifting of animals from one zoo to another zoo within state and the country.
		-	8	Mode of Recruitment shall be done with prior approval of State Government.	-
30	**Animal Keeper** (Rs. 21400-42000)	0	48	(1)Fifty percent by direct recruitment. (2)Fifty percent by promotion from the cadre of Assistant Animal Keeper, who must have put in a service of not less than ten years in the cadre of Assistant Animal Keeper as per Seniority.	(1) Must have passed SSLC. (2) Must have undergone Animal Keeper Training organized by any of the Zoo. (3) Must be able to speak and understand Kannada language. (4) Must have experience in handling Animals.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(5) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less. (6) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection) (General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks. (7) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and (iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
31	**Veterinary Lab Assistant** (Rs. 21400-42000)	0	3	By deputation from the equivalent cadre from Veterinary Department.	-
32	**Forest Guard** (Rs. 21400-42000)	10	7	By deputation from the equivalent cadre from Forest Department.	-
33	**Forest Watcher** (Rs. 18600-32600)	11	8	By deputation from the equivalent cadre from Forest Department.	-
34	**Mahouts** (Rs. 18600-32600)	2	-	Fifteen percent by promotion from the cadre of the Elephant Kavadies; and	**For promotion:** Must have put in a service of not less than seven years in the cadre of Elephant Kavadies as per seniority.

Sl. No.	**Category Post and pay scale**	Existing posts	Addl. posts	Method of recruitment	**Minimum qualification for direct recruitment**
		-	7	Eighty-five percent by direct recruitment	(1) Must be able to speak and understand Kannada language. (2) Must have experience in handling Elephants. (3) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less. (4) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection) (General) Rules, 2006 weight-age of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks. (5) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(i)Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and (iii) for all other categories, the age limit shall be as specified in the Karnataka Civil
35	**Kavadi** (17000-28950)	4	16	By direct recruitment	(1) Must be able to speak and understand Kannada language. (2) Must have experience in handling Elephants. (3) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of: (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and (iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
36	**Gardener** (Rs.17000-28950)	12	0	By direct recruitment	(1) Must have passed SSLC. (2) Must be able to speak and understand Kannada language. (3) Must have specialized skills in handling animals / Gardening and should have minimum five years experience in any Zoos, as well as gardening experience in Horticulture Department.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as animal keeper/gardener in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less. (5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weight-age of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks. (6)Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of: (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and (iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
		0	3	Mode of Recruitment shall be done with prior approval of State Government.	–
37	**Assistant Animal Keeper** (Rs. 17000-28950)	41	110	By direct recruitment.	(1)Must have passed SSLC. (2)Must have undergone Animal Keeper Training organized by any of the Zoo. (3) Must be able to speak and understand Kannada language. (4) Must have experience in handling Animals. (5) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					years during which he is or was holding orworking in such post or ten years whichever is less. (6) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks. (7) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of: (i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes; (ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
38	**Attender (Peon)** (Rs. 17000-28950)	0	6	Mode of Recruitment shall be done with prior approval of State Government.	-
	Total number of posts	**136**	**262**	**398**	

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department

SCHEDULE II

Group-wise details of different category of Posts

Sl. No.	Category of Posts	Existing Posts	Addl. Posts	Total Posts
	GROUP-A			
1	Member Secretary – from Cadre of APCCF –IFS borne	1	0	1
2	Executive Director – from Cadre of CCF – IFS borne	1	0	1
3	Executive Director – from Cadre of DCF-IFS borne	1	0	1
	Executive Director – from Cadre of DCF	1	1	2
4	Deputy Director /DCF – from Cadre of DCF – SFS borne	1	0	1
5	Deputy Director (AH&VS)- from AH&VS Dept.	1	0	1
6	Deputy Director / ACF – from Cadre of ACF	2	0	2
7	Assistant Director (AH & VS)- from Cadre of Asst. Director or Senior Veterinary Officer	2	0	2
	TOTAL OF GROUP-A	**10**	**1**	**11**
	GROUP-B			
8	Veterinary Officer	4	6	10
9	Assistant Engineer	3	0	3
10	Audit Officer	1	1	2
11	Range Forest Officer	13	0	13
12	Gazetted Manager	1	1	2
13	Assistant Horticulture Officer	1	1	2
14	Accounts Superintendent	0	1	1
	TOTAL OF GROUP-B	**23**	**10**	**33**
	GROUP-C			

Sl. No.	Category of Posts	Existing Posts	Addl. Posts	Total Posts
15	Superintendent	1	1	2
16	Junior Lepidopterist (for Butterfly Park)	0	1	1
17	Biologist	0	2	2
18	Education Officer	0	2	2
19	Lab Technician	0	2	2
20	**First Division Assistant**	2	0	2
		0	5	5
21	Deputy Range Forest Officer	17	0	17
22	Surveyor	1	0	1
23	Animal Supervisor (Inventory)	0	3	3
24	Computer Operator	0	1	1
25	Librarian(Asst.)	1	0	1
26	Horticulture Assistant	0	2	2
27	Animal Supervisor	0	10	10
28	Second Division Assistant	0	6	6
29	Driver	1	0	1
		0	8	8
30	Animal Keeper	0	48	48
31	Veterinary Lab Assistant	0	3	3
32	Forest Guard	10	7	17
	TOTAL OF GROUP-C	**33**	**101**	**134**

	GROUP-D			
33	Forest Watcher	11	8	19
34	Mahouts	2	0	2
		0	7	7
35	Kavadi	4	16	20
36	Gardener	12	0	12
	Gardener	0	3	3
37	Assistant Animal Keeper	41	110	151
38	Attender (Peon)	0	6	6
	TOTAL OF GROUP-D	**70**	**150**	**220**
	Total of Group A+B+C+D	**136**	**262**	**398**

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department

SCHEDULE – III
(see sub-rule (3) of rule 8)

Details of Disciplinary Authority & Appellate Authority to the employees of Zoo Authority of Karnataka:-

Class of Post		Authority empowered to impose penalties as disciplinary authority		Appellate authority
		Authority	Penalties	
1		2	3	4
I	O/o the Member Secretary, Zoo Authority of Karnataka, Mysuru.			
1	First Division Assistant	Member Secretary	(ii) to (iv-a) (v) to (vii)	Principle Chief Conservator of Forests (Wild Life) / Vice-Chairman, Zoo Authority of Karnataka
2	Animal Supervisor (Inventory)	Member Secretary	(ii) to (iv-a) (v) to (vii)	Principle Chief Conservator of Forests (Wild Life) / Vice-Chairman, Zoo Authority of Karnataka
II	O/o the Executive Director of various Zoos under Zoo Authority of Karnataka.			
1	Junior Lepidopterist (for Butterfly Park)	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
2	Biologist	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
3	Education Officer	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
4	First Division Assistant	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
5	Animal Supervisor (Inventory)	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
6	Animal Supervisor	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
7	Librarian	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
8	Second Division Assistant	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
9	Driver	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
10	Animal Keeper	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
11	Mahout	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
12	Kavadi	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
13	Gardener	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
14	Assistant Animal Keeper	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department

SCHEDULE-IV

Details of various Departmental Examination prescribed for the employees of Zoo Authority of Karnataka:-

The Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974 and departmental exams which are prescribed for the posts filled by deputation from other departments of the Government are applicable mutatis and mutandis as is in their department.

The declaration of probationary period and considering the promotion of Zoo Authority of Karnataka Employees under the above rules shall be considered by the promotion committee constituted under Cadre and Recruitment Rules of Zoo Authority of Karnataka.

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department.

PR-74

GOVERNMENT OF KARNATAKA

ED 41 UBV 2018(P-2)

Karnataka Government Secretariat
M.S. Building,
Bangalore, dated: 28.02.2020

CORRIGENDUM

In the Notification No:ED 41 UBV 2018(P-2), dated :30.10.2019 wherein the Government of Karnataka appointed 30th October, 2019 as the date of taking effect of all the provisions of Bengaluru Dr. B.R.Ambedkar School of Economics University Act, 2018, the words and numbers "KARNATAKA ACT No. 19 of 2019" appearing in parenthesis shall be corrected and read as "KARNATAKA ACT No. 20 of 2019"

By order and in the name of the
Governor of Karnataka.

(MAHESH R.)
Under Secretary to Government,
Higher Education Department
(Universities-2)

PR-75

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 76 URC 2019, Dated: 18 -12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Adichunchanagiri University Act-2012 (Karnataka Act No.18 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Adichunchanagiri University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Adichunchanagiri University Act, 2012 (Karnataka Act No.18 of 2013)

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub-rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the

Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-76

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 74 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Amity University Act-2018 (Karnataka Act No.16 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Amity University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Amity University Act, 2018(Karnataka Act No.16 of 2018);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it

to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before

such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of

the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-77

P£ÁðlP ¸PÁðg

¸ASÀå: UÁC¥ 1309 UÁ¥AC 2017

P£ÁðlP ¸PÁðgz ¸aªÁ®AiÄ,
§ºÄªÀºr Plq
¨AU¼ÆgÄ, ¢£ÁAP:17-01-2020.

C¢¸ÆZ£

P£ÁðlP UÁªÄ ¸gÁeï ªÄvÄ ¥AZÁAiÄvï gÁeï C¢¤AiÄªÄ, 1993 (1993g P£ÁðlP C¢¤AiÄªÄ ¸ASÉ 14)g ¥Pgt 61(J) N¢PÆAqAv ¥Pgt 316 gº CUvÀ¥r¸¯ÁzAv P£ÁðlP UÁªÄ ¸gÁeï ªÄvÄ ¥AZÁAiÄvï gÁeï UÁªÄ ¥AZÁAiÄwU¼ (Pg C©ªÈ¢Ý ªÄvÄ ¤ªðºuÁ ¸«Äw) (ªiÁzj) G¥«¢U¼Ä, 2019 Pgq£ÄB ¢£ÁAP:22-07-2019 g P£ÁðlP gÁdå ¥vz ¨ÁU-IV-A gº ¥Pn¹, Czj Az ¨Á¢vgÁUÄª ªÄQU½Az ¸zj PgrU DPÃ¥u ªÄvÄ ¸®ºU¼£ÄB P£ÁðlP gÁdå ¥vzº ¥Plª Áz ¢£ÁAP¢Az ªÄÆªvÄ ¢£U¼Æ¼UÁV ¸º¸¨ÃPAzÄ PÆÃjgÄªÀzjAz;

ªÄvÄ ¸zj gÁdå ¥vªÀ ¸Áªðd¤PjU ¢£ÁAP:22-07-2019 gAzÄ ®¨åªÁUÄªAv ªiÁrgÄªÀzjAz;

ªÀvÀÄ ¸zj Pgr£ ¸A§Azzº gÁdå ¸PÁðgPÌ AiiÁªÀzÃ DPÃ¥u CxªÁ ¸®ºU¼À ¨ÁgȼgÀªÀzjAz;

FU P£ÁðIP UÁªÀ ¸gÁeï ªÀvÀ ¥AZÁAiÀvï gÁeï C¢¤AiÀªÀ, 1993 (1993g P£ÁðIP C¢¤AiÀªÀ ¸ASÉ 14) g ¥Pgt 61(J) gÆq£ N¢PÆAqAv ¥Pgt 316 gº ¥zvªÁz C¢PÁgª£ÀÄß Z¯Á¬À¹ P£ÁðIP ¸PÁðgªÀ F ªÀÄÆ®P ªiÁzj G¥«¢U¼£ÀÄß ga¸Àvz, JAzg;-

ªiÁzj G¥«¢U¼À

CzÁåAiÀ-1

1. º¸gÀ ªÀvÀ ¥ÁgA¨ :

(J) F G¥«¢U¼£ÀÄß P£ÁðIP UÁªÀ ¸gÁeï ªÀvÀ ¥AZÁAiÀvï gÁeï UÁªÀ ¥AZÁAiÀwU¼ (Pg C©ªÈ¢Ý ªÀvÀ ¤ªðºuÁ ¸«Àw) (ªiÁzj) G¥«¢U¼À, 2019 JAzÀ PgAiÀvPÀzÀÄ.

(©) F G¥«¢U¼À ¸PÁðj gÁdå¥vzº ¥PIuAiiÁz ¢£ÁAP¢Az eÁjU §gvPÀzÀÄ.

2. ¥j¨ÁµU¼À:

F G¥«¢U¼º, ¸Az¨ðªÀ C£ÀxÁ CUvÀå¥r¹z ºÆgvÀ, F ªÀÄÄA¢£ ¥zU¼À ªÀvÀ ¥zÁª½U¼£ÀÄß F ªÀÄÄA¢£ CxðU¼º §¼¸¯ÁVz:

i. "«¢": JAzg P£ÁðIP UÁªÀ ¸gÁeï ªÀvÀ ¥AZÁAiÀvï gÁeï C¢¤AiÀªÀ 1993 g ¥Pgt 61-J ºÁUÆ CzPÀ PÁ®PÁ®zº vA¢gÀª AiiÁªÀzÃ §z¯ÁªuU¼À C£AiÀ¸Àvª.

ii. "¸Á¬À ¸«Àw" JAzg P£ÁðIP UÁªÀ ¸gÁeï ªÀvÀ ¥AZÁAiÀvï gÁeï C¢¤AiÀªÀ 1993 g ¥Pgt 61 (ii) gr gavªÁz ¸Á¬À ¸«Àw JAzÀ w½AiÀvPÀzÀÄ.

iii. "¤ÃgÁªj PÁAiÀ": JAzg P£ÁðIP ¤ÃgÁªj PÁAiÀÄ 1965 ªÀvÀ CzPÀ DVAzÁUÀ vA¢gÀª/vg¯ÁUÀª wzÀ¥rU¼À.

iv. "UÁªÀ": JAzg PgAiÀ ªÁ¦AiÀº §gÀª ª¸w ¥zñ JAzÀ w½AiÀvPÀzÀÄ.

v. "¸«Àw" JAzg Pg C©ªÈ¢Ý ªÀvÀ ¤ªðºuÁ ¸«Àw.

vi. "CzÀPgÀ": JAzg PgAiÀ ¤ªðºu ªÀvÀ C©ªÈ¢Ý ¸«ÀwAiÀ ¸z¸ÀjAz G¥«¢U¼ ¥PÁg MAzÀ PÁ¯Áª¢U £Ã«À¸®qÀª ¥zÁ¢PÁj.

vii. "G¥ÁzÀPÀgÀ": JAzg PgAiÀ ¤ªðºu ªÀvÀ C©ªÈ¢Ý ¸«ÀwAiÀ ¸z¸ÀjAz G¥«¢U¼ ¥PÁg MAzÀ PÁ¯Áª¢U £Ã«À¸®qÀª ¥zÁ¢PÁj.

viii. "¸¨": JAzg Pg C©ªÈ¢Ý ªÀvÀ ¤ªðºuÁ ¸«ÀwAiÀ ¸¨U¼À JAzÀ w½AiÀvPÀzÀÄ.

ix. "¸ÁzÁgt §ºÀªÀv": JAzg ºÁdjzÀ ¸z¸Àg ¸ASÉAiÀº CzðQAv ºZÀ ¸z¸Àg M¦U.

x. "ªµð": JAzg ZÁ®£AiÀºgÀª ºtPÁ¸À ªµð, CAzg K¦¯ï 1 jAz ªiÁZïð 31.

xi. **"¨Æ C©ª¦¢"**: JAzg ºÆ®U½U ¸ªÀ£ÁV ¤Ãg£Àß «vgu ªiÁq®Ä gÆ¦¹ ¤«Äð¹z ºÆ®UÁ®Äª/§¹UÁ®Äª/¸ªÀ¥Áv½/MqÀU¼À/¤AiÀAvPU¼À (gUÀ¯ÃÄ ¸ïð) ªÀvÀ Evg P®¸U¼À.

xii. **"ªÁgÁ§A¢ ¥zÀw"**: JAzg, vÆ§ÀU½Az ¤Ãg£Àß ¸zjAiÀ ªÀÃ¯ ºÁUÆ ¸ªiÁ£v DzÁgz ªÀÃ¯ ºAaPÆ¼Àª ¥zÀw.

±§U¼ §¼P:

i. Eº §¼PAiiÁVgÀª KPªZ£zºgÀª ¥zU¼£Àß §ºÀªZ£zºAiÀÆ, §ºÀªZ£zºgÀª ¥zU¼£Àß KPªZ£zº G¯ÃT¸§ºÀzÁVgÀvz.

ii. Eº §¼PAiiÁVgÀª ¥ÀgÀµ ªÁZPU¼£Àß ¹Ã ªÁZPU¼£ÁßVAiÀÆ, ¹Ã ªÁZPU¼£Àß ¥Ägµ ªÁZPU¼£ÁßVAiÀÆ Cx¹ð¹PÆ¼§ºÀzÁVgÀvz.

CzÁåAiÀ-2

3) Pg C©ª¦¢ ªÀvÀ ¤ªðºuÁ ¸«ÄwAiÀ gZ£,-

i) Pg C©ª¦¢ ªÀvÀ ¤ªðºuÁ ¸«ÄwAiÀ£Àß P¼V£Av ga¸vPzÀ.

1) Pg ªÁ¦AiÀº §gÀª E§gÀ UÁªÀ ¥AZÁAiÀw ¸z¸gÀ.
2) Pg §¼PzÁgg ¥w¤¢U¼À,-
   - d¯Á£AiÀ£ ¥zÃ±z g¦vgÀ-1.
   - CZPÌÀ ¥zÃ±z g¦vgÀ-1.
3) CZÀPn£ PÆ£ ºAvz g¦vgÀ-1.
4) PÆºPÁ«ÄðPgÀ-1.
5) PÀ±® P«ÄðU¼À-1.
6) ¥gÆÃPªÁV G¥AiÆÃU ¥qAiÀÄªªgÀ-1.
7) ¸½ÃAiÀ ¸AiÀA ¸ÃªÁ ¸AW ¥zÁ¢PÁj/UÁªÀzº ªÁ¹¸Àª vdgÀ-1.
8) Pg C©ª¦¢U gÆ.MAzÀ ®PªÀ£Àß £UzÁV Cx ªÁ EvgÀ gÆ¥zº zÁ£ ¤Ãrz zÁ¤U¼À.
9) UÁªÀ ¥AZÁAiÀw PÁAiÀðz²ð-¸«ÄwAiÀ PÁAiÀðz²ðAiiÁVgÀvÁg.
10) PªÀ ¸AS 1 jAz 7gªgV£ ¸z¸g£Àß, F GzÃ±PÁV Pgz UÁªÀ ¸¨AiÀº DAiÀ ªiÁqÀªzÀ.

ii) Pg C©ª¦¢ ªÀvÀ ¤ªðºuÁ ¸«ÄwAiÀº CzP, G¥ÁzP ªÀvÀ PÁAiÀðz²ð ¸Ãj P¤µ 9 ªÀvÀ Ujµ 14 d£ ¸z¸gÀ EgÀªzÀ.

iii) ¸«ÄwAiÀº P¤µ E§gÀ ¥j²µ eÁw/¥j²µ ¥AUqU½U ¸Ãjz ¸z¸gÀ EgvPzÀ.

iv) ¸«ÄwAiÀ MÌÀ ¸z¸gº P¤µ ªÀÆg£Ã MAzgµÀ ªÀ»¼Á ¸z¸gÀ EgvPzÀ.

v) CzP Cx ªÁ G¥ÁzPgÀ F E§gº M§gÀ ªÀ»¼AiiÁVg¨ÃPÀ.

vi) ¸«ÄwAiÀ ¸z¸g Cª¢AiÀÄ ¥z¤«Äv ¸z¸g£Àß ºÆgvÀ¥r¹ Evg ¸z¸g ¥zÁª¢AiÀÄ ªÀÆgÀ ªµð DVgÀvz.

vii) ¸«ÄwAiÀ PÁAiÀðz²ð DVgÀªªgÀ ¸AWz ªÀÄR PÁAiÀð¤ªÁðºPgÀ DVgÀvÁg.

viii) ¸«ÄwAiÀÄ J¯Á ¥zÁ¢PÁjU¼À ¤ªÉðw ºÉÆAz §AiÀ¹zº «±Ãµ UÁªÀÄ ¸¨AiÀÄ ªÀÄÆ®P ºÉ¸ Pg C©ªÀ¢ ªÀÄvÀÄ ¤ªÃðºuÁ ¸«ÄwAiÀÄ£ÀÄß ¤AiÀÄ«Ä¸§ºÀzÁVgÀvz ºÁUÆ ºÉ¸ ¸«Äw gZ£AiiÁUÀªªgUÆ ¥¸Äv ¸«ÄwAiÀÄÄ ªÀÄÄAzÀªgAiÀÄÄªÀzÀ.

ix) ¸«ÄwAiÀÄ ¸¨U¼º wÃªiÁð¤¸Àª J¯Á PÁAiÀÄðPªÀÄU¼À, wÃªiÁð£U¼£ÀÄß C£ÀµÁ£UÆ½¸Àª dªÁ¨Áj PÁAiÀÄðz²ðAiÀÄzÁVgÀvz.

CzÁåAiÀÄ-3

4. ¸«ÄwAiÀÄ ¥zÁ¢PÁjU¼À:

C) CzÁåAiÀÄ-2 g (3) (i)gº ¸Æa¹gÀª ¸z¸ågÀU¼ ¥ÉQ M§ CzåP ªÀÄvÀÄ M§ G¥ÁzåPg£ÀÄß ¸«ÄwAiÀÄ ¸¨AiÀÄº DAiÀÄ ªiÁqvPzÀ, Ezgº P¤µ¥P M§gÀ ªÀÄ»¼AiiÁVgvPzÀ.

D) ¸A§A¢¹z UÁªÀÄ ¥AZÁAiÀÄw PÁAiÀÄðz²ð ¸«ÄwAiÀÄ ¥z¤«Äv PÁAiÀÄðz²ðAiiÁV £Ã«Ä¸vPzÀ.

E) CzåP ªÀÄvÀÄ G¥ÁzåPgÀ ªÀÄÆgÀ ªµðU¼ Cª¢U CxªÁ Cª£ / Cª¼ ¸z¸åv gzÁUÀªªgU, Eªgqgº AiiÁªÀzÀ ªÆz¯ÆÃ CºAiÀÄªgU C¢PÁgª£ÀÄß ºÉA¢gvPzÀ.

5. CzåPg Pvðªå U¼À:

C) CzåPgÀ F ªÀÄÄA¢£ Pvðªå U¼£ÀÄß ¤ªð»¸vPzÀ.

i. ¸«ÄwAiÀÄ J¯Á ¸¨U¼ CzåPv ª»¸ÀªÀzÀ.
ii. zÉgÀU¼ ¥nUAiÀÄ£ÀÄß D ¸ªÀÄAiÀÄzº Cº ®¨¸«gÀª P¤µ M§ ¸z¸åg G¥¹w¬Äº P¤µ ªÁgPÉªÀÄ vgAiÀÄÄªÀzÀ.

D) CzåPgÀ ¸«ÄwAiÀÄÄ ªiÁUðz±ð£ ¤ÃqÀªAvº Evg PÁAiÀÄðU¼£ÀÄß ¤ªð»¸vPzÀ.

6. G¥ÁzåPg Pvðªå U¼À:

C) CzåPg UÉgÀºÁdjAiÀÄº, G¥ÁzåPgÀ F G¥«¢U¼ 5£Ã RAqzº ¤¢ðµ¥r¸¯ÁzAv CzåPg Pvðªå U¼£ÀÄß ¤ªð»¸vPzÀ.

D) G¥ÁzåPgÀ ¸«ÄwAiÀÄÄ ªiÁUz±ð£ ¤ÃqÀªAvº Evg J¯Á PÁAiÀÄðU¼£ÀÄß ¸º ¤ªð»¸vPzÀ.

7. PÁAiÀðz²ðAiÀ Pvð©ÀU¼À:

C) PÁAiÀðz²ðAiÀÄ F ªÀÄAq¢£ Pvð©ÀU¼£ÀÄß ¤ªð»¸vÀPzÀÄ;

i) ¸«ÀwAiÀ C£ÀªÆÃz£ ¥qzÀ PgU¼ ªÁ¶ðP zÁg¹, G¸ÀªÁj ºÁUÆ PÁAiiÁðZguU¼ QAiiÁAiÆÃd£AiÀ£ÀÄß ¹z¥r¸ÀªÀzÀ.

ii) ¸«ÀwAiÀ ¸¨U½U PÁAiÀð¸Æa vAiiÁj¸ÀªÀzÀ.
«ªgu:- ¸¨U¼ PÁAiÀð¸ÆaAiÀÄ ¸«ÀwAiÀ ªiÁ¹P ¯P¥vU¼À, Pg G¸ÀªÁj ºÁUÆ PÁAiiÁðZguU¼ QAiiÁAiÆÃd£U ¸A§A¢¹z CA±U¼£ÀÄß M¼UÆArgvPzÀ.

iii) CzÁAiÀ-4 gº «ªj¹gÀªAv ¸«ÀwAiÀ ¸¨ PgAiÀĪÀzÀ ªÀvÀ CzP C£ÀPÆ® Pº¹PÆqÀªÀzÀ ªÀvÀ J® ¸¨U¼ £q½U¼£ÀÄß zÁRº¸ÀªÀzÀ.

iv) ¸«ÀwAiÀ ªiÁ»wUÁV Dv£ /DPAiÀ C¢PÁgz CrAiÀº §gÀª J¯Á «µAiÀU¼ ªiÁ»wAiÀ£ÀÄß vAiiÁj¸ÀªÀzÀ.

v) Dv£/ DPAiÀ ¥¨Ágzºgʪ ¸«ÀwU ¸Ãjz J¯Á z¸ÁªÃdÀU¼À ªÀvÀ ¸w£ ¸ÀgQv ¸À¥¢ðU dªÁ¨ÁggÁVgÀªÀzÀ.

vi) ¸«ÀwAiÀ ¯P¥vU¼À ªÀvÀ zÁR¯U¼£ÀÄß EÉÀPÆ¼ÀªÀzÀ.

vii) P¤µ¥P, ¥w ªÀÆgÀ wAU¼ÀU½UÆªÀ ºtPÁ¸À, ¯P ¥j±ÆÃz£ ªÀvÀ AiÆÃd£Á ¸Á¬À ¸«ÀwU Pg C©ª¢ ªÀvÀ ¤ªðºuÁ ¸«ÀwAiÀ ZÉÀªnPU¼ ªg¢ ªÀvÀ ¯P¥vU¼ «ªg¥nAiÀ£ÀÄß vAiiÁj¸ÀªzÀ ºÁUÆ ºÁdgÀ¥r¸ÀªÀzÀ.

viii) ¥vªªºÁg £q¸ÀªÀzÀ ºÁUÆ J¯Á £ÆÃnÃ¸ÀU¼£ÀÄß ªÀvÀ eÁ»ÃgÁvÀU¼£ÀÄß ºÆgr¸ÀªÀzÀ.

D) ¸«ÀwAiÀÄ ªiÁUðz±ð£ ¤ÃqÀªAv Evg J¯Á PÁAiÀðU¼£ÀÄß ¸º ¤ªð»¸vÀPzÀ.

8. ¸«ÀwAiÀ C¢PÁgU¼À ªÀvÀ dªÁ¨ÁjU¼À:

C¢PÁgU¼À:

i. F ¸«ÀwAiÀÄ P£ÁðÉP UÁªÀ ¸gÁeï ªÀvÀ ¥AZÁAiÀvï gÁeï C¢¤AiÀªÀ 1993 g ¥Pgt 58, 145, 184 ºÁUÆ C£À¸Æa-1, C£À¸Æa-11 ªÀvÀ C£À¸Æa-111 gr ¸t ¤ÃgÁªj, «ÄÃ£ÀUÁjP ºÁUÆ P¶ DzÁjv ZÉÀªnPU¼£ÀÄß ¤ªð»¸®À C¢PÁg ºÆA¢gÀvz.

ii. PgAiÀ ªÁ¦AiÀº£ ¤Ãj£ ªÀÆ®U¼À ªÀº£UÆ¼zAv J¯Á PªÀU¼£ÀÄß PÉUÆ¼Àª dªÁ¨Áj, C¢PÁg ¸«ÀwVz. PgU ZgAr ¤Ãg£ÀÄß ºÁ¬À¸Àª, PÁSÁð£ P®±U¼£ÀÄß ©qÀª, PgAiÀAU¼zº UÆ§g UÀArU¼£ÀÄß ªiÁqÀª ºÁUÆ AiiÁªÀzÃ EvgÃ ªiÁº£PÁgP ZÉÀªnPU¼£ÀÄß ¤§ðA¢¸®À ¸ÆP ¸ÆZ£U¼£ÀÄß ¤Ãr PÉÀ¤mÁV eÁjUÆ½¸Àª PÁgtPvð ªQ/¸AW ¸A¸/PÁSÁð£U¼ ªÀÄ¯ PªÀdgÁV¸®À ²¥Ág¸À ªiÁqÀª C¢PÁg ¸«ÀwVgÁvz.

iii) Pg ªÀvÀ Czg ¸A§Az¥É PÁªÀUÁjU¼À ºÁUÆ CzgrAiÀº v¦Pgª ÁV PÁAiÀð¤ªð»¸Àª, GvªÀ ¹wAiÀºgÀª £Á¯Á ªª¸ PÁAiiÁðZgu, ¤ªðºuÁ ªZ EªU¼£ÀÄß ¸Av ¸A¥£Æ®¢Az ¨j¸®À ¸ÁPÁUÀªµÀ ¤Ãj£ zgU¼£ÀÄß ª¸Æº ªiÁqÀªÀzÀ.

iv) ¤Ãj£ vjU ºÆgvÀ¥r¹ Pg ¥zÃ±zº ºÆ¼À, ªÄg¼À, ªÀtÀ, Cgt GvÉ£U¼À, EnU UÆqÀU¼£Ä ªiÁqÀª EvÁå §¼PzÁgjU UÁªÀ ¥AZÁAiÀwAiÀÄ ¤U¢¥r¹z ±Á®ª£Ä ª¸Æº ªiÁqÀª C¢PÁg ¸«ÄwVgÀvz. ¸PÁðgz DzÃ±U½U M¼¥ÌÀ ¸PÁðg C£Àªw ¤Ãrzº ¸«ÄwU DzÁAiÀ §gÀª «ÄÀ£ÄUÁjP EvÁå ZÌÀªnPU¼£Ä PÉUÆ¼Àª C¢PÁgªÇ ¸«ÄwVzÀ, EªÀU¼ ¤ªðºuAiÀ C¢PÁg ¸«ÄwVgÀvz.

dªÁ¨ÁjU¼À:

v) ¸«Äw Pg ¥zÃ±z G¸ÀªÁj C©ªÀ¢ ªÀvÀ ¤ªðºuU F P¼PAq PªÄU¼£Ä eÁjUÆ½¸ÀªÀzÀ.

PgU¼ ¨ËwP ¤ªðºu:

vi) ¸«Äw ªÁ¶ðP zÄg¹, G¸ÀªÁj ºÁUÆ PÁAiiÁðZguU¼ QAiiÁ AiÆÃd£AiÀ£Ä gÆ¦¸ÀªÀzÀ, ªÁ¶ðP DzÁAiÀ-ªZU¼ DAiÀªÀAiÀ gÆ¦¸ÀªÀzÀ ªÀvÀ ¸«Äw ¸¨AiÀº C£ÀªÆÃz£ ¥qzÀ eÁjUÆ½¸vPzÀ.

vii) Pg ¥zÃ±zº£ J¯Á gZ£U¼£Ä ªÁ¶ðPªÁV CxªÁ CUvÀ ©zvPt zÄg¹ ªiÁr Gvª ¹wAiÀº ¤ªð»¸ÀªÀzÀ ¸«ÄwAiÀ dªÁ¨ÁjAiiÁVgÀvz. F zÄg¹ PÁAiÀðU¼£Ä ¸«Äw ¸PÁðgz C£ÄzÁ£, ¸«Äw¬ÄAz «ÄÀ£À PÉ¶ ¸A¥£Æ® CxªÁ Evg ¸A¥£Æ®U½Az ºÁUÆ ±ÄzÁ£/ªÁgz P®¸U¼£Ä ¸AWn¹ PÉUÆ¼ÀªÀzÀ.

viii) vÀvÀð ¥j¹wU¼Áz ¥ªÁº, ¨ÆPA¥ EvÁå¢U½Az Kj MqAiÀÄªÀzÀ EvÁå¢ ¸Az¨ðU¼º ¸PÁðgz ªw¬ÄAz zÄg¹U¼£Ä ªiÁq®À ¸A§Az¥Ì ¸½ÃAiÀ C¢PÁgU¼£Ä ¨Ãn ªiÁr zÄg¹AiÀ£Ä PÉUÆ¼ÀªÀzÀ. ªÄÀº£ zÄg¹ PÁªÀUÁjU¼£Ä ºtPÁ¹£ ®¨vAiÀ£Ä Cª®A©¹ ¸PÁðg ¤U¢¥r¸Àª vÁAwP UÀtªÀÌP£ÀUÀtªÁV ªiÁqÀªÀzÀ ¸«ÄwAiÀ dªÁ¨ÁjAiiÁVgÀvz. CzÁUÆ F P¼PAq «£Á¸ §z¯ÁªuU¼£Ä ªiÁqÀª ºÁV®.

1. PgAiÀAU¼ª£Ä ¸ÁUÀª½ ªiÁq®À C£Àªw PÆqÀªÀzÀ.
2. PgAiÀ PÆÃr ªÀÌª£Ä Kj¸ÀªÀzÀ, E½¸ÀªÀzÀ EvÁå¢.
3. Pg vÆ©£ ªÀÌª£Ä Kj¸ÀªÀzÀ, E½¸ÀªÀzÀ.
4. AiiÁªÀzÃ ªÄÆ® «£Á¸U¼£Ä §z¯Á¬Ä¸Àª ºÁV®.

ix) **PgAiÀ PÌq gPu ºÁUÆ MvÀªj vqAiÀÄªÀzÀ:**

C) d¯Á£AiÀ£ ¥zÃ±zº£ ¥ÆÃµP PÁ®Àª, £Á¯Á/º¼U¼, SÁ¸V »qÀª½U¼º£ PÁ®ÀªU¼£Ä ªª¹vªÁV £ÆÃrPÆ¼ÀªÀzÀ, CwPªÀt, MvÀªj, ¨Ãgq wgÀV¸ÀªÀzÀ ªÀvÀ Cº ¤«Äð¹gÀª AiiÁªÀzÃ gZ£AiÀ£Ä ºÁ¤ªiÁqzAv £ÆÃrPÆ¼ÀªÀzÀ.

D) Pg CAU¼z MvÀªj vqAiÀÄªÀzÀ, PgAiÀAU¼zº ¸ªP½ DUÀªAvº AiiÁªÀzÃ ZÌÀªnP ¤§ðA¢¸ÀªÀzÀ, Pg Ur P®ÀU¼£Ä ºÁ¤ ªiÁqÀªÀzÀ CxªÁ C£¢PÉvªÁV §z¯Á¬Ä¸ÀªÀz£Ä vqAiÀÄªÀzÀ.

E) PgAiÀ vÆ§ÄU¼£ÀÄß C£¢PÀvªÁV vgAiÀÄÄªÀzÀ, ºÁ¤ ªiÁqÀªÀzÀ, Pg KjAiÀ£ÀÄß ºÁ¤ ªiÁqÀªÀzÀ, Kj ªÀÄÃ¯ ¥±ÀÄU¼£ÀÄß ªÀÄÃ¬Ä¸ÀªÀzÀ, MvÀªj ªiÁqÀªÀzÀ, PgAiÀ PÆÃrU¼£ÀÄß ºÁ¤ ªiÁqÀªÀzÀ, Jvg PrªÀ ªiÁqÀªÀzÀ EvÁ¢U¼£ÀÄß vqAiÀÄÄªÀzÀ.

F) CZÀPÌÀ ¥zÃ±zº£ gÁdPÁ®Àª, §¹UÁ®Àª, PÆÃr PÁ®ÀªU¼£ÀÄß ºÁ¤ªiÁqÀªÀzÀ, MvÀªj ªiÁqÀªÀzÀ, C£¢PÀvªÁV vgAiÀÄÄªÀzÀ, ¤Ãj£ ºj«U Cr¥r¸ÀªÀz£ÀÄß vqAiÀÄÄªÀzÀ, Cª¢ªÁgÀ ¸ZÀUÆ½¸ÀªÀzÀ EvÁ¢.

¤Ãj£ ¸z¼PU PªÀ:

G) PgAiÀº£ vÆ©£ P¼UÀ½AiÀÄÄª ¹g ¤Ãg£ÀÄß C£¢PÀvªÁV ¥A¥ïªiÁqÀªÀzÀ, ¸À¥£ï ªiÁqÀªÀzÀ, P®Ä¶vUÆ½¸ÀªÀzÀ EvÁ¢U¼£ÀÄß vqAiÀÄÄªÀzÀ. Pg CAU¼z ªÀÄÃ¯ÁUz PÀ¶ d«ÄÃ£ÀU½U ¥A¥ï¸mïU¼ ªÀÄÆ®P ¤Ãg£ÀÄß ¸¼zÀPÆ¼ÀªÀz£ÀÄß vqAiÀÄÄªÀzÀ.

H) ¤ÃgÀ «vgu ¤AiÀªÀÄU¼ G®AW£, ¸zj ºAaP µqÆ®U¼ G®AW£, ¤ÃgÀ «vgPg/ ¤ÃgÀUAnAiÀ PÁAiiÁðZguU Cr¥r¸ÀªÀzÀ, ¸«Äw ¤U¢¥r¸Àª ¨¼ AiÆÃd£U¼£ÀÄß G®AX¸ÀªÀzg «gÀz PªÀ dgÀV¸ÀªÀzÀ.

ÌÀ) ªÁ¶ðP ¨¼ AiÆÃd£AiÀ£ÀÄß gÆ¦¸ÀªÀzÀ, ¨¼ ¥zÀwU¼£ÀÄß Gv¥Àªr¸ÀªÀzÀ, ¤ÃgÁªj ¥zÀwU¼£ÀÄß Gv¥Àªr¸ÀªÀzÀ, ¤ÃgÀ «vgu ¸ªÀ¥ðPªÁV ¤ªð»¸ÀªÀzÀ.

¤Ãj£ ¸AAiÀÄÄP §¼PAiÀ£ÀÄß eÁjU vgÀªÀzÀ EvÁ¢ PªÀU½Az ¨Æ«Ä ªÀvÀ ¤Ãj£ ªÀÄÆ®U¼£ÀÄß GvªÀªÁV J¯Á PªÀU¼£ÀÄß ¸«Äw PÀUÆ¼ÀªÀzÀ.

J) CZÀPÌÀ ¥zÃ±zºgÀª ¸ÁªÀÄÆ»P ¨Á«U¼º£ ¤Ãj£ §¼P, §U ¤UÁª»¸ÀªÀzÀ EvÁ¢.

¥j¸g ¤ªðºu:

K) d¯Á£AiÀ£ ¥zÃ±z ¸ÁªÀÄÆ»P ºÁUÆ SÁ¸V »qÀª½U¼º ªÀtÀ ¸ªP½ vqAiÀ®À PªÀU¼À.

L) d¯Á£AiÀ£ ºÁUÆ Pg ¥zÃ±zº£ vÆÃ¥ÀU¼ ºÀ®ÀUÁª®À, ªÃgVqU¼£ÀÄß ¤ªðºu ªiÁqÀªÀzÀ, CwPªÀt vqAiÀÄÄªÀzÀ EvÁ¢.

¸PÁðgz ¤AiÀªÀÄU¼ ¥Á®£:

M) PgAiÀº£ «ÄÃ£ÀUÁjP, ªÃg¼À, ºÆ¼À, EvÁ¢U¼ §¼PU ¸PÁðgz ¤AiÀªÀÄU¼£ÀÄß ¥Áº¸ÀªÀzÀ ºÁUÆ eÁjUÆ½¸ÀªÀzÀ.

N) CZÀPÌÀ ¥zÃ±z ¤Ãj£ vjUU¼ ºZÀªj ¥jµgu, ¥Áªw Cª¢ µqÆ®U¼£ÀÄß vAiiÁj¸ÀªÀzÀ.

ºtPÁ¸À ¤ªðºu:

x. ¸«ÄwAiÀÄÄ ªÀÄÄA¢£ ªµðP DAiÀªAiÀª£ÀÄß ¹z¥r¹ ¸«Äw ¸¨U ªÀÄAr¹ ªiÁZïð CAvzÆ¼U M¦U ¥qAiÀÄvPzÀ.

xi. ¸«ÅwAiÀÄ PÁ£Æ£À jÃvÁå ªiÁq¨ÁQgÀª ªÁ¶ðP ¯P ¥j±ÆÃz£, ªÁ¶ðP ªg¢U¼£ÀB ¤U¢v Cª¢AiÆ¼U UÁªÀ ¥AZÁAiÀwU ¸º¸Àª¼zÀ.

xii. ¸«Åw v£B ¯P ¥vU¼£ÀB zÁR¯U¼£ÀB v£B PbÃjAiÀº PÁ¤mÁV ¤ªð»¸Àª¼zÀ. ¸«ÅwAiÀ ¯P ªªºÁgU¼£ÀB ¥Ágz±ðPªÁV £qª vö£ªiÁ¹PªÁV ¸Áªðd¤P ¸¼zº, UÁªÀ ¥AZÁAiÀwAiÀ ¸ÆZ£Á ¥®PU¼º ¥ZÁg ¥r¸Àª¼zÀ.

xiii. ¸«ÅwAiÀ ºtPÁ¸À ªªºÁgU¼º AiiÁª¼zÀ jÃwAiÀ zÁgÀ¥AiÆÃUªÁzº ºtzÁgÀ¥AiÆÃU, £µ ªÀvÀ v¤SU ¸A§A¢¹zAv P£Áð I P UÁªÀ ¸gÁeï ªÀvÀ ¥AZÁAiÀvïgÁeï (UÁªÀ ¥AZÁAiÀwU¼ DAiÀªAiÀ ªÀvÀ ¯P¥vU¼À) ¤AiÀªÀU¼À, 2006g ¤AiÀªÀ 111 grAiÀ ¤gÆ¥uAiÀAv PªÀª»¸Àª¼zÀ.

¤AiÀªiÁª½U½U wzÀ¥r:

xiv. ¸«ÅwAiÀ ªÀÆ® Gzë±U½U ªwjPªÁV ¸«ÅwAiÀ G¥«¢U¼º AiiÁª¼zÀ wzÀ¥rU¼£ÀB ªiÁqÀª ºÁV®. Dzg v£B G¥«¢U¼ ¥j«ÅwAiÀº ¤AiÀªÀU¼£ÀB, ¤Åw ¤§Az£U¼£ÀB gÆ¦¹ C¼ªr¹PÆ¼Àª C¢PÁg ¸«ÅwVgÀvz. PÁ®PÁ®P CUvå ©Ã¼Àª wzÀ¥rU¼£ÀB ªiÁqÀª¼zÀ, ºÆ¸ ¤AiÀªiÁª½U¼£ÀB gÆ¦¸Àª¼zÀ EvÁå¢U¼£ÀB UÁªÀ ¥AZÁAiÀw¬ÀAz C£ÀªÆÃz£ ¥qzÀ ªiÁqvPzÀ. Dzg D jÃwAiÀ ¤Åw ¤AiÀªiÁª½U¼À P£Áð I P ¤ÃgÁªj C¢¤AiÀªÀ 1965 ªÀvÀ P£Áð I P ¤ÃgÁªj ¤AiÀªiÁª½U¼À 1965, P£Áð I P UÁªÀ ¸gÁeï ªÀvÀ ¥AZÁAiÀvï gÁeï PÁ¬Àz 1993, ¨ÁgwÃAiÀzAq ¸A»vAiÀ CxªÁ ¸PÁðg PÁ®PÁ®P ºÆgr¸Àª DzÃ±U¼ ZËPn£ºg¨ÃPÀ.

ªÁdU¼ ¤ªðºu:

xv. ¸«ÅwAiÀ PÁAiÀð¤ªðºuAiÀº Gzë«¸Àª J¯Á ªÁdU¼£ÀB ¥jºj¸Àª dªÁ¨Áj ¸«ÅwAiÀzÁVgÀvz. AiiÁª¼zÀ ¸z¸å ¸«ÅwAiÀ ¤tðAiÀ¢Az ¨Á¢v£Ázº UÁªÀ ¥AZÁAiÀw ªÀÆ®P ¥jºÁg ¥qAiÀ®À ªÀÄ®£« ¸º¸Àª C¢PÁg ºÆA¢gÀvÁ£ CxªÁ ¸«ÅwAiÀÄ CUvå©zº ªÀÄ®£« ¸º¸§ºÀzÀ.

9. UÁªÀ ¥AZÁAiÀw ºÁUÆ ¸t ¤ÃgÁªj E¯ÁSAiÀ dªÁ¨ÁjU¼À:

i) ¸«ÅwAiÀ PÁAiÀðZI Àªn PU¼À ¸«ÅwAiÀ ¤AiÀªiÁª½AiÀ ¥PÁg £qAiÀ®À ªiÁUðz±ð£ ªÀvÀ ¸ºPÁg ¤ÃqÀª¼zÀ.

ii) ¸«ÅwAiÀº ¥jºÁgªÁUz AiiÁª¼zÀ PÀAzÀPÆgvU¼£ÀB §Uºj¸Àª¼zÀ.

iii) ¸«ÅwAiÀ PÁAiÀðPªÀU½U ¸PÁðgz Evg E¯ÁSU¼, C©ªå¢ AiÆÃd£AiÀr ¨A§® ¨ÃPÁzº MzV¸Àª¼zÀ, vÁAwP ¸®º, ªiÁUðz±ð£, vg¨ÃwU¼À EvÁå¢ ¥ÆgP PÁAiÀðPªÀU¼£ÀB º«ÅPÆ¼Àª¼zÀ.

iv) ¸«Åw AiiÁª¼zÀ ¤AiÀªÀU¼£ÀB G®AX¹, Gzë±U½U, ¨Ã¯ÁU¼º£ ¤AiÀªÀU½U «gÀzªÁV PÁAiÀð¤ªð»¹zº PÁ£Æ¤£ ZËPn£º PªÀ PÉUÆ¼Àª¼zÀ.

v) ¤AiÀÄ«Äv PÁºPªÁV ¸«ÄwAiÀÄ PÁAiÀÄð¥UwAiÀÄ£ÀÄß ªiË®åªiÁ¥£ ªiÁqÀÄªÀzÀÄ CUvÀåªÁUÀÄª J¯Á vÁAwP ºÁUÆ Dq½vÁvÀP ¸ºPÁg ¤ÃqÀÄªÀzÀÄ.

vi) ºAUÁªÀÄÄªÁgÀÄ ¨¼AiÀÄ AiÆÃd£AiÀÄ£ÀÄß ¹zÀ¥r¹ ¸ªÀÄÄav ¥Á¢PÁgPÀ ¥wAiÆAzÀÄ ¨¼AiÀÄrAiÀÄº §gÀª ¥zÃ±ª£ÀÄß w½¸¨ÃPÀÄ ªÀÄvÀÄ ¤ÃgÁªj ¤Ãg£ÀÄß §¼¹PÆAqÀÄ ¸ÁUÀª½ ªiÁq¯Áz ¥zÃ±z ªÀÄvÀÄ ¨¼U¼ «ªgª£ÀÄß ¸AU»¹, ¸APº¹ ¸ªÀÄÄav ¥Á¢PÁgPÀ w½¸¨ÃPÀÄ.

vii) ¸«Äw¬ÄAz AiiÁªÀzÃ jÃwAiÀÄº ºtz zÀ§ð¼PAiiÁzAvº ¸Az¨ðU¼º CzÁAiÀÄ 5g RAq 17g G¥«¢U¼Av Czg ¨ÁAPï SÁvAiÀÄ£ÀÄß ¸ÀVvUÆ½¸Àª CxªÁ v¤S £q¹ ¸A§A¢v PÁ£Æ£À PªÀÄU¼£ÀÄß PÈUÆ¼ÀÀª C¢PÁg UÁªÀÄ ¥AZÁAiÀÄwU ºÁUÆ ¸t ¤ÃgÁªj E¯ÁSU EgÀvz.

viii) Pg ªÀÄvÀÄ vv§A¢ ZIÀªnPU¼ÀÄ E¯ÁSAiÀÄ ¥j«ÃPuU ªÀÄPªÁVgvPÀzÀÄ ºÁUÆ PÁ®PÁ®PÀ ¸PÁðg ¤U¢¥r¹gÀª AiiÁªÀzÃ dªÁ¨ÁjAiÀÄ£ÀÄß ¤ªð»¸ÀªÀzÀÄ.

CzÁåAiÀÄ-4

¸«ÄwAiÀÄ ¸¨AiÀÄº C£À¸j¸¨ÃPÁz PÁAiÀÄð«zÁ£U¼ÀÄ

10. ¸«ÄwAiÀÄ ¸¨U¼£ÀÄß PgAiÀÄÄªÀzÀÄ:

C) ¸«ÄwAiÀÄÄ, DAiiÁ UÁªÀÄ ¥AZÁAiÀÄw PbÃj DªgtzÆ¼U CxªÁ C£ÀÄPÆ®PgªÁU§ºÀzÁzAvº Evg ¸¼zº£ P¤µ¥P JgqÀ wAU½UÆªÀÄ ¸¨ ¸ÃgvPÀzÀÄ.

(D) ¸«ÄwAiÀÄ ¸¨AiÀÄ£ÀÄß, Czg CzÀåPgÆA¢U ¸ªiÁ¯ÆÃa¹, PÁAiÀÄðz²ðAiÀÄÄ ¤U¢¥r¸§ºÀzÁzAvº ¢£U¼AzÀÄ ªÀÄvÀÄ ¸ªÀÄAiÀÄzº £q¸vPÀzÀÄ.

(E) PÁAiÀÄðz²ðAiÀÄÄ, ¸«ÄwAiÀÄ ¥wAiÆAzÀÄ ¸¨AiÀÄ §UÀ ¸z¸jU P¤µ¥P MAzÀÄ ªÁgz ªÆz®Ä £ÆÃnÃ¸£ÀÄß ¤ÃqvPÀzÀÄ ªÀÄvÀÄ GzÀ²v PÁAiÀÄð¸ÆaAiÀÄ MAzÀÄ ¥wAiÀÄ£ÀÄß £ÆÃnÃ¹£ÆA¢U v®Ä¥ÀªAv ªª¸ PÈUÆ¼ÀÀªÀzÀÄ.

Dzg, ¸¨ÁzPgÀ, PÁAiÀÄð¸ÆaAiÀÄº ¸Ãj¹gz AiiÁªÀzÃ vÀvÀð ªºÁgz «µAiÀÄª£ÀÄß ¸¨AiÀÄ ªÀÄÄAz ªÀÄAr¸§ºÀzÀÄ.

C®zÃ, PÁAiÀÄðz²ðAiÀÄÄ P¤µ ¥P MAzÀÄ ¢£ ªÆz®Ä £ÆÃnÃ¸£ÀÄß ¤ÃqÀª ªÀÄÆ®P vÀvÀð ¸¨AiÀÄ£ÀÄß PgAiÀÄ§ºÀzÀÄ.

(F) ¸«ÄwAiÀÄ ¸z¸ågÀ AiiÁªÀzÃ «µAiÀÄU¼£ÀÄß ¸¨AiÀÄ ªÀÄÄAz ªÀÄAr¸®Ä Ea¹zº «µAiÀÄª£ÀÄß ¸«ÄwU ºTv ªÀÄÆ®P ¸¨AiÀÄ ¢£ÁAP¢Az ªÀÄÆgÀÄ ¢£U¼ ªÀÄÄAZ M¦¸ÀªÀzÀÄ.

11. PÆÃgA:

¸«ÄwAiÀÄ ¸¨AiÀÄ£ÀÄß £q¸ÀªÀzPÀ CUvÀåªÁz PÆÃgA F ªÀÄÄA¢£AwgvPÀzÀÄ:

C) CzÀPgÀ Cxª Á G¥ÁzÀPgÀ ªÀvÀ PÁAiÀðz²ð ¸ÀjzAv ¸«ÃwAiÀ P¤µ 1/3 ¨ÁUzµÀ ¸z¸ÀgÀ ¸¨U ºÁdjgvPzÀ.

D) PÆÃgA PÆgv¬ÀAzÁV ¸«ÃwAiÀ ¸¨AiÀ£À £q¸¯ÁU¢zÀg, ¸z¸À PÁAiÀðz²ðAiÀ C¢¸Æa¸Àª ªÀvÆAzÀ ¢£P ¸¨AiÀ£À ªÀÄAzÆq§ºÀzÀ.

E) ªÀÄAzÆq®I ¸¨AiÀÆ ¸º CUvÀ PÆÃgA£À ºÆA¢g¢zÀ°, DU ªÁ¸ªªÁV ºÁdjgÀª ¸z¸Àg£ÀÀ PÆÃgA JAzÀ ¥jUt¹ ¸¨ £q¸§ºÀzÀ.

12. CzÀPgÀ ºÁUÆ G¥ÁzÀPg UÀgÀ ºÁdjAiÀ° C£À¸j¸¨ÃPÁz ¥zÀw:

CzÀPgÀ ºÁUÆ G¥ÁzÀPg UÀgÀ ºÁdgÁVzÀ°, ¸¨AiÀ° ºÁdjgÀª ¸z¸Àg° M§ ¸z¸À££À ¸¨ÁzÀP£ÁV ZÀ£Á¬À¸vPzÀ ºÁUÆ ¸zj ¸z¸À D ¸¨AiÀ CzÀPvAiÀ£À ª»¸vPzÀ.

«ªgu: F G¥§Azz GzÀÀ±PÁV "UÀgÀ ºÁdj" JAzg PÀª® vÁvÀ°P ¸gÆ¥zÁVgÀvzAiÀÄ ºÆgvÀ DP¹P SÁ° ºÀzÀU G¯ÃTvªÁUÀªÀ¢®.

13. ¥±ÀU¼£À ¤tð¬À¸Àª «zÁ£:

C) ¸«ÃwAiÀ ªÀÄAz EgÀª J® «µAiÀU¼£À ¸ÁªiÁ£ÀªÁV ºÁdjgÀª ¸z¸Àg®gÆ MªÀvÁ©¥ÁAiÀ¢Az ¤zðj¸vPzÀ.

D) MªÀvÁ©¥ÁAiÀ ªÀÆq¢zÀ°, F G¥«¢AiÀ RAq 14 grAiÀ° UÆvÀ¥r¸¯Áz ªiÁzjAiÀ° ªÀv ºÁPÀª ªÀÆ®P ¤zðj¸vPzÀ.

14. ªÀv ºÁPÀª «zÁ£:

C) J® ¸z¸ÀgÀ ªÀv ºÁPÀªÀzP ¸ªiÁ£ ºP£À ºÆA¢gvPzÀ.

D) PÀU¼£À JvÀª ªÀÆ®P ªÀv ºÁP§ºÀzÀ, Dzg ¸«ÃwAiÀÄ, AiiÁªÀzÃ «µAiÀ Cxª Á «µAiÀU¼£À ªÀv¥vz ªÀÆ®P ¤zðj¸vPzAzÀ ¤tð¬À¸§ºÀzÀ.

E) «µAiÀª£À ªÀvP ºÁQz°, ¸«ÃwAiÀ ºÁdjgÀª ¸z¸ÀgÀ ¸ÁzÁgt §ºÀªÀv¢Az Cz£À ¨A§°¹z ºÆgvÀ, Cz£À CAVÃPj¸vPz®.

F) ¸ªiÁ£ ¸ASÀAiÀ ªÀvU¼À ©z ¸Az¨ðz°, ¸¨ÁzÀPgÀ Jgq£Ã Cxª Á ¤uÁðAiÀP ªÀvª£À ºÆA¢gvPzÀ ªÀvÀ Cz£À Z¯Á¬À¸vPzÀ.

15. ¤tðAiÀU¼£À zÁR°¸ÀªÀzÀ.

C) PÁAiÀðz²ðAiÀÄ, ¸«ÃwAiÀ ¤tðAiÀU¼ zÁR¯U¼£À ¤ªð»¸vPzÀ ªÀvÀ ¤tðAiÀU¼ ¥wU¼£À ¸z¸ÀjU ¥jZ®£ ªiÁqvPzÀ.

D) ªÀÄ¯ £ªÀÆ¢¹z zÁR¯U¼£ÀÄß ¸z¸g CªÀUÁº£UÁV ¸«ÄwAiÀÄ PÁAiÀÄðz²ðAiÀÄ ¸À§¢ð£º EqvP¦zÀÄ.

CzsÁåAiÀÄ – 5

²¸Ü PæªÀÄ

16. zÆgÀÄU¼ ¥jºÁg PÁAiÀÄðvAv:

C) Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwAiÀÄ ¸ªÀÄU PÁAiÀÄð ¤ªÀðºuU ¸À§Az¥ÃAv AiiÁªÀzÀ zÆgÀÄ, Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«Äw AiiÁªÇ§ ¸z¸¸£ «gÀzÀªÁVgÀÄª ¸Az¨ðzº ºtPÁ¸À, ¯P¥j±ÆÃz£ ªÀÄvÀÄ AiÆÃd£Á ¸Á¬Ä ¸«ÄwAiÀÄÄ F ªÀÄÄA¢£ PÁAiÀÄð«zÁ£ªÀ£ÀÄß C£À¸j¸¨ÃPÀÄ.

i. zÆgÀÄ ¹ÃPj¹z 10 ¢£U¼Æ¼UÁV E§gÀÄ ¸z¸¸jgÀÄª v¤SÁ vAqªÀ£ÀÄß ga¸¨ÃPÀÄ.

ii. ¸zj vAqªÀ zÆg£ÀÄß ¥j²Ã¹ CªÀªÀºÁgU¼£ÀÄß ¸j¥r¸ÀÄª «zÁ£U¼£ÀÄß ¸Æa¹, vAq gZ£AiiÁz ºvÀÄ ¢£U¼Æ¼UÁV ¸Á¬Ä ¸«ÄwU ªg¢ ¤Ãq¨ÃPÀÄ.

iii. Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwU zÆgÀÄ ¥wU¼ (¦AiiÁðzÀzÁg£ º¸gÀÄ w½¹g¢zÀº) ªÀÄvÀÄ v¤SÁ vAqz ªg¢AiÆA¢U PÁgt PÃ¼ÀÄª £ÆÃnÃ¸£ÀÄß P¼À»¹ CªÀªÀºÁgU¼£ÀÄß ¸j¥r¸®Ä 10 ¢£U¼ PÁ¯ÁªPÁ± (£ÆÃnÃ¸À eÁjUÆ½¹z ¢£ÁAP¢Az) ¤Ãq¨ÃPÀÄ.

iv. Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwAiÀÄÄ 15 ¢£U¼Æ¼UÁV (PÁgt PÃ¼ÀÄª £ÆÃnÃ¸À eÁjUÆ½¹z ¢£ÁAP¢Az) ¸Á¬Ä ¸«ÄwU C£À¥Á®£Á ªg¢AiÀÄ£ÀÄß ¸º¸¨ÃPÀÄ.

v. C£À¥Á®£Á ªg¢AiÀÄ£ÀÄß ¹ÃPj¹z vgÀÄªÁAiÀÄ Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÀAiÀÄÄ CªÀªÀºÁgU¼£ÀÄß ¸j¥r¹z §U ¸Á¬Ä ¸«ÄwAiÀÄÄ RÀzÁj ¥j²Ãº¸®Ä.

vi. Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwAiÀÄ C£À¥Á®£Á ªg¢AiÀÄ£ÀÄß ¸º¹zgÆ CªÀªÀºÁgU¼£ÀÄß ¸j¥r¹ CxªÁ PÁgt PÃ¼ÀÄª £ÆÃnÃ¹U C£ÀUÀtªÁV PªÀÄ PÊUÆ¼®Ä Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwAiÀÄÄ ¤gÁPj¹z JAzÀÄ ¸Á¬Ä ¸«Äw C©¥ÁAiÀÄ¥Ãg Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwAiÀÄ£ÀÄß 15 ¢£U¼ Cª¢AiÆ¼UÁV gzÀÝ ªiÁq¨ÁgzÃP JA§ §U PÁgt PÃ¼ÀÄª Jgq£Ã £ÆÃnÃ¸£ÀÄß ¸Á¬Ä ¸«ÄwAiÀÄÄ eÁj ªiÁq¨ÃPÀÄ.

vii. CªÀªÀºÁgU¼£ÀÄß ¸j¥r¸®Ä Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwAiÀÄÄ Jgq£Ã 15 ¢£U¼ Cª¢AiÀÄº vUzÀPÆAq PªÀÄU¼À vÉ¦PgªÁV®¢zÀº ºtPÁ¸À, ¯P¥j±ÆÃz£ ªÀÄvÀÄ AiÆÃd£Á ¸Á¬Ä ¸«ÄwAiÀÄÄ "Pg C©ªÈ¢Ý ªÀÄvÀÄ ¤ªÀðºuÁ ¸«ÄwAiÀÄ£ÀÄß" gzÀÝ¥r¸ÀÄª ¥¸ÁªÀ£AiÀÄ£ÀÄß UÁªÀÄ ¥AZÁAiÀÄwAiÀÄ ¸ÁªiÁ£Ü CxªÁ «±ÃµÀ ¸¨U ¸º¸¨ÃPÀÄ. F

¥¸Áªæ£AiÀÄ §UÉÎ UÁªÀÄ ¥AZÁAiÀÄwAiÀÄ Zað¹ ¸ÆPÀ ¤zÁðg PÉUÆ¼Àî¨ÃPÀÄ.

viii. Pg C©ªÀ¢Þ ªÀÄvÀÄ ¤ªð¢ºuÁ ¸«ÄwAiÀÄ£ÀÄß gzÀÝ¥r¹z ¸AzÀ¨ðz° CzÀÄ ºÁU gzÀÝUÆAq 1 wAU¼Æ¼UÁV Pg C©ªÀ¢Þ ªÀÄvÀÄ ¤ªð¢ºuÁ ¸«ÄwAiÀÄ ªÀÄgÀÄ gZ£ ªiÁrz §UÉÎ Rav¥r¹PÆ¼¨ÃPÀÄ.

ix. Pg C©ªÀ¢Þ ªÀÄvÀÄ ¤ªð¢ºuÁ ¸«ÄwAiÀÄ gZ£AiiÁUÀªªgU Czg ¥PÁAiÀÄðU¼£ÀÄß ºtPÁ¸À, ¯P¥j±ÆÃz£ ªÀÄvÀÄ AiÆÃd£Á ¸ÁÛ¬Ä ¸«ÄwAiÀÄÄ ¤ªð»¸¨ÃPÀÄ.

x. ªÀÄÃ°£ «zÁ£ª£ÀÄß G¥RArP (i) jAz (vii) £ÀÄß C£Ä¸j¹ ²¸Ä PªÀÄ dgÀV¸Àª C¢PÁg ¸t ¤ÀgÁªj E¯ÁSAiÀÄ f¯Á ªÀÄIz C¢PÁjU EgÀvz. ¥gAvÀÄ G¥RArP (viii) ºÁUÆ (ix) gAv UÁªÀÄ ¥AZÁ¬ÄwU ªiÁv PªÀÄ dgÀV¸Àª C¢PÁg«gÀvz.

17. **SÁvAiÀÄ ¤ªð¢ºuAiÀÄ CªiÁ£vÀÄUÆ½¸ÀªÀÄzÀÄ**

Pg C©ªÀ¢Þ ªÀÄvÀÄ ¤ªð¢ºuÁ ¸«ÄwAiÀÄ SÁvAiÀÄ ªÀªºÁgU¼À ¤AiÀÄªÀÄU½U£Ä¸Ág ¤ªð»¸¢zÀg Cxªà CªÀªºÁgU¼À ªÀÄÃ¯ÆßÀIPÀ PAqÀ§Azg CzÀP ºÁUÆ ¸z¸Ä PÁAiÀÄðz²ð D SÁvAiÀÄ£ÀÄß ¤ªð»¸ÀªÀÄz£ÀÄß ¤°¸ÀªAv ºtPÁ¸À, ¯P¥j±ÆÃz£ ªÀÄvÀÄ AiÆÃd£Á ¸ÁÛ¬Ä ¸«ÄwAiÀÄÄ ¤zÃð±£ ¤Ãq¨ÃPÀÄ ºÁUÆ ¸A§Az¥I ¨ÁåAPï ªÀª¸ÁÜ¥PjU ¥v ªÀÄÃSÃ£ w½¸¨ÃPÀÄ.

CzsÁåAiÀÄ-6

18. ºtPÁ¸À

C) j¸ªïð ¨ÁåAPï¤Az ªÀÄ£ÀÛu ¥qz gÁ¶ÖÃPÀÈv ¨ÁåAPï Cxªà C£Ä¸Æav ¨ÁåAPï Cxªà ¸ºPÁj ¨ÁåAPï£ SÁvAiÀÄ° Cxªà CAZ PZÃjAiÀÄ° ¸«ÄwAiÀÄ ««z ¤¢U¼£ÀÄß oÃªt EqvPÀzÀÄ, CAx SÁvAiÀÄ£ÀÄß ¸«ÄwAiÀÄ º¸j£° vgAiÀÄvPÀzÀÄ.

D) ªÀÄÃ¯ w½¹gÀª SÁvU¼£ÀÄß CzÀPgÀÄ ºÁUÆ ¸z¸Ä PÁAiÀÄðz²ðAiÀÄªgÀÄ dAnAiiÁV ¤ªð»¸vPÀzÀÄ.

E) ¸«ÄwAiÀÄ J¯Á DzÁAiÀÄ ªÀÄvÀÄ ªZU¼£ÀÄß Pg C©ªÀ¢Þ ªÀÄvÀÄ ¤ªð¢ºuÁ ¸«ÄwAiÀÄ ¥w ¸¨AiÀÄ®Æ Zað¸vPÀzÀÄ.

F) MAzÀÄ ¸Á«g gÆ.U¼£ÀÄß «ÄÃjz AiiÁªÀzÃ ºt »AvUAiÀÄÄ«PU Pg C©ªÀ¢Þ ªÀÄvÀÄ ¤ªð¢ºuÁ ¸«Äw ¥ÆªÁð£ÀªÀw ¥qAiÀÄvPÀzÀÄ.

¥gAvÀÄ, vÀvÀÌð ªZU¼£ÀÄß ¨j¸®Ä AiiÁªÀzÃ ºtª£ÀÄß »AvUzÀPÆ¼§ºÀzÀÄ. Cz£ÀÄß Pg C©ªÀ¢Þ ªÀÄvÀÄ ¤ªð¢ºuÁ ¸«ÄwAiÀÄ ªÀÄÄA¢£ ¸¨AiÀÄ° Zað¸vPÀzÀÄ ªÀÄvÀÄ WI£ÆÃvg C£ÀªÆÃz£ ¥qAiÀÄvPÀzÀÄ.

19. ¯Á¨z ªÀÄÃ¯ ¤µÀz:

Pg C©ªÈ¢ ªÀvÀ ¤ªðºuÁ ¸«Àw ¯Á¨ ªÀvÀ D¹AiÀ AiiÁªÀzÃ ¨ÁUªÀ£ÀB ªÈw ªÃv£z gÆ¥z¯ÁUºÃ CxªÁ Dv£ ¯Á¨z gÆ¥z¯ÁUºÃ AiÀªÀzÃ ¸z¸À¤U CxªÁ AiiÁªÀzÃ ¸z¸Àg ªÀÆ®P ¥qAiÀ §AiÀ¹zÀº AiiÁªÀzÃ ªÀQU ¥vÀPªÁV CxªÁ ¥gÆÃPªÁV «¤AiÆÃV¸vÀPz® CxªÁ ªUÁð¬Ã¸vÀPz®.

¥gAvÀ, F RAqzºgÀª AiiÁªÀzÆ, Pg C©ªÈ¢ ¥gªÁV ¸zÁªÀ£¬ÀAz RZÀð ªiÁrzÀº AiiÁªÀzÃ ¸z¸À¤U ªÀgÀ¥ÁªwAiÀ ¸AzÁAiÀ ªiÁqÀªÀzPÀ Cr¥r¸vPz®.

ªÀvÀ ¥gAvÀ, ¸z¸ÀjU vg¨ÃwUÁV ºAaPAiiÁz AiiÁªÀzÃ ªÆvª£ÀB ¸zÁª£¬ÀAz CAvº ¸z¸ÀjU ¸AzÁAiÀ ªiÁqÀªÀzPÀ F RAqzºgÀª AiiÁªÀzÆ Cq¥r¸vPz®.

CzÁåAiÀ-7

Evg «ªgU¼À

20. ¸z¸Àvª£ÀB PÆ£UÆ½¸Àª¤zÀ:

F P¼PAq AiiÁªÀzÃ W¤£U¼À ¸A¨«¹zº ¸z¸Àvª¤ gzÁUvPzÀ.

i. ¸z¸ÀgÀ ¸«ÀwAiÀ ¤gAvg ªÀÆgÀ ¸¨U½U UÈgÀ ºÁdgÁzº;

ii. ¸«ÀwAiÀ ªÁ¦AiÀº §gÀª AiiÁªÀzÃ ªÀªºÁgz ¤ªðºuAiÀº Dv/DPAiÀÄ ¨µZÁgzº vÆqVzº;

iii. AiiÁªÀzÃ PÁgtz ¤«Àv ¸z¸À UÁªÀ ¥AZÁ¬Àw ªÀ¦ vÆgzº;

iv. AiiÁªÀzÃ £ÁAiiÁ®AiÀ¢Az Dv/DPAiÀÄ D¥Á¢v£AzÀ wÃªiÁð£ªÁVzº;

21. ¸z¸Àg£ÀB vUzÀ ºÁPÀªÀzÀ:

i. ¸«ÀwAiÀ GzÀ±U½U «gÀzªÁV £qzÀ PÆ¼ÀªÀzÃ CxªÁ zÀ£ðqv J¸VzÁU ¸z¸ÀjAz ºTv gÆ¥zº ¸ªÀeÁ¬À¶AiÀ£ÀB PÆÃj D ªÀÆ®P ªÀÄ£ÛZjPU¼£ÀB ¤ÃrzÁUÆ ¸z¸£ £qÁª½U¼º §z¯Áªu DU¢z ¥Pzº ºÁUÆ ªiÁ£¹P C¸¸£AzÀ ªÈzQÃAiÀªÁV zÈq¥nzº ¸«ÀwAiÀÄ, ªÀÆg£Ã JgqgµÀ ¸z¸Àg §ºÀªÀvzº CAvº ¸z¸Àg ¸z¸Àv£ª£ÀB gzÀUÆ½¸§ºÀzÀ. ¸z¸Àv gzÀUÆAq ¸z¸À£À F ¸A§Az AiiÁªÀzÃ CºªÁ®ÄU½zº 30 ¢£U¼Æ¼U UÁªÀ ¥AZÁ¬ÀwU ¸PÁgtU¼ÆA¢U ºTv CfðAiÀ£ÀB ¸º¸§ºÀzÀ. UÁªÀ ¥AZÁ¬ÀwAiÀÄ ¸ÁªiÁ£À §ºÀªÀvz ªÀÆ®P CAvº ¸z¸Àg CºªÁ®£ÀB ¥j²Ãº¹, ¸z¸Àv£ª£ÀB ¥À£gï £ÀªÀP ªiÁq§ºÀzÀ CxªÁ gzÀUÆ½¸Àª¤zÀ.

22. DP¹P SÁº¸Á£U¼£ÀB vÀA§ÀªÀzÀ:

i. AiiÁªÀzÃ ¸z¸Àg ¸Á£ªÀ DPAiÀ/Dv£ ¥zÁª¢AiÀÄ ¸ÁªiÁ£À PªÀzº ªÀÄPÁAiÀUÆ¼Àª ªÆz¯Ã SÁºAiiÁzº, vvjuÁªÀªÁV GAmÁUÀª D DP¹P SÁº ¸Á£ª£ÀB ¸«ÀwAiÀÄ v£ÀB ¸¨AiÀº M§g£ÀB D ¸Á£P vÀA§§ºÀzÀ.

¥gAvÀ, ¸«ÄwAiÀÄÄ F G¥«¢U¼ RAq 16 g ªÀÄÃgU ¸A¥ÆtðªÁV «¸dð£AiiÁVzï RAq 16 g ªÀÄÃgU UÆvÀ¥r¹z PÁAiÀÄð«zÁ£ª£ÀÄß C£ÀÄ¸j¸vPïzÀÄ.

ii. ªÀÄÃ°£ (i) RAqz ªÀÄÃgU £ÀªÀÄPUÆAq ¸z¸ï£ ¥zÁª¢AiÀÄÄ ¸«ÄwAiÀÄ G½z Cª¢U Cxª Á 20 £À RAqz ¥PÁg Dv/DP ¸z¸ï£ÁVgÀªïzÀ ªÀÄPÁAiÀªÁUÀªªgU Eªï U¼° AiiÁªïzÀ ªÆz®À C°AiÀªgU EgÀªïzÀ.

23. C¢Pïv ¸Aª°£ ªÀvÀ M¥AzU¼À:

C) PÁAiÀðz²ðAiÀÄÄ ¸«ÄwAiÀÄ ¥ÆªÁð£ÀªÆÃz£AiÀÄ£ÀÄß ¥qzÀ G¥«¢AiÀÄ 9£À RAqz° ¤¢ðµ¥r¸z AiiÁªïzÀ ¥PÁAiÀðU¼£ÀÄß ¤ªð»¸®À ¸«ÄwAiÀÄ ¥gªÁV °Tv M¥AzU¼£ÀÄß ªiÁrPÆ¼vPïzÀÄ.

D) ¸«ÄwAiÀÄ J¯Á C¢Pïv ¥vU¼£ÀÄß PÁAiÀðz²ðAiÀÄÄ ¸» ªiÁqvPïzÀÄ.

P£Áð I P gÁdï¥Á®g DeÁ£À¸Ág
ªÀvÀ Cªg º¸j£°

(©. £«Ã£ï PÀªiÁgï)
G¥¤zÃð±PgÀ ºÁUÆ ¥z¤«Àv
¸PÁðgz C¢Ã£ PÁAiÀðz²ð, (UÁ.¥A.)
UÁ«ÄuÁ©ªï¢ ªÀvÀ ¥AZÁAiÀvï gÁeï E¯ÁS.

PR-78

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 106 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Vydehi University Act-2013 (Karnataka Act No.36 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Vydehi University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Vydehi University Act, 2013 (Karnataka Act No.36 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of

not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved

and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-79

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA
NOTIFICATION

No. ED 105 URC 2019, Dated: 01-01-2020

In exercise of the powers conferred by sub-section (1) of section 61 of the SHRI DHARMASTHALA MANJUNATHESHWARA UNIVERSITY Act-2018 (Karnataka Act No.19 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the SHRI DHARMASTHALA MANJUNATHESHWARA UNIVERSITY Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the SHRI DHARMASTHALA MANJUNATHESHWARA UNIVERSITY Act, 2018 (Karnataka Act No.19 of 2018);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-
The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-80

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 77 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 57 of the Azeem Premji University Act-2010 (Karnataka Act No.14 of 2010), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Azeem Premji University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Azeem Premji University Act, 2010 (Karnataka Act No.14 of 2010);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 48 and Development Fund under section 49 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (3) of section 54 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-81

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 75 URC 2019, Dated: 30-10-2019

In exercise of the powers conferred by sub-section (1) of section 58 of the Alliance University Act-2010 (Karnataka Act No.34 of 2010), the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and commencement- (1) These rules may be called the Alliance University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Alliance University Act, 2010 (Karnataka Act No.34 of 2010);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub- rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (3) of section 55 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the

interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R),
Under Secretary to Government
Higher Education Department (Universities-2)

PR-82

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 82 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Garden City University Act-2013 (Karnataka Act No.47 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Garden City University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Garden City University Act, 2013 (Karnataka Act No.47 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-83

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 80 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Jagath University Act-2018 (Karnataka Act No.20 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Jagath University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Jagath University Act, 2018 (Karnataka Act No.20 of 2018);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rules (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rules (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-84

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 101 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Sharanabasava University Act-2012 (Karnataka Act No.17 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Sharanabasava University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Sharanabasava University Act, 2012 (Karnataka Act No.17 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-85

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 100 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Shri Devaraj Aras University Act-2012 (Karnataka Act No.23 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Shri Devaraj Aras University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Shri Devaraj Aras University Act, 2012 (Karnataka Act No.23 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-86

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 98 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 62 of the P.E.S. University Act-2012 (Karnataka Act No.16 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the P.E.S. University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the P.E.S. University Act, 2012(Karnataka Act No.16 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-87

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 89 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the M.S. RAMIAH University OF APPLIED SCIENCES Act-2012 (Karnataka Act No.15 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the M.S. RAMIAH University OF APPLIED SCIENCES Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the M.S. RAMIAH University OF APPLIED SCIENCES Act, 2012 (Karnataka Act No.15 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule(1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-88

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 99 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the New Baldwin University Act-2013 (Karnataka Act No.48 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the New Baldwin University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the New Baldwin University Act, 2013 (Karnataka Act No.48 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-89

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 103 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Reva University Act-2012 (Karnataka Act No.13 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Reva University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Reva University Act, 2012 (Karnataka Act No.13 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-90

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 79 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the K.L.E. Technological University Act-2012 (Karnataka Act No.22 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the K.L.E. Technological University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the K.L.E. Technological University Act, 2012 (Karnataka Act No.22 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-91

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 107 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Srinivasa University Act-2013 (Karnataka Act No.42 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Srinivasa University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Srinivasa University Act, 2013(Karnataka Act No.42 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-92

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 83 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Dayananda Sagar University Act-2012 (Karnataka Act No.20 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Dayananda Sagar University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- (1) In this Rules, unless the context otherwise requires-

(a) "Act" means the Dayananda Sagar University Act, 2012 (Karnataka Act No.20 of 2013),

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used in these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub-rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (3), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-93

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 90 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 62 of the Khaja Bandanawaz University Act-2018 (Karnataka Act No.18 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Khaja Bandanawaz University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Khaja Bandanawaz University Act, 2018 (Karnataka Act No.18 of 2018);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub-rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 50 and Development Fund under section 51 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 59 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-94

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 97 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Presidency University Act-2013 (Karnataka Act No.41 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Presidency University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Presidency University Act, 2013 (Karnataka Act No.41 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-95

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 104 URC 2019, Dated:18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Vellure Institute Of Technology Bangalore Act-2012 (Karnataka Act No.14 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Vellure Institute Of Technology Bangalore Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Vellure Institute Of Technology Bangalore Act, 2012, (Karnataka Act No.14 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-96

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA
NOTIFICATION

No. ED 102 URC 2019, Dated:18-12-2019

In exercise of the powers conferred by sub-section (1) of section 62 of the Sri Sathya Sai University for Human Excellence Act-2018 (Karnataka Act No.17 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Sri Sathya Sai University for Human Excellence University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- (1) In this Rules, unless the context otherwise requires-

(a) "Act" means the Sri Sathya Sai University for Human Excellence University Act, 2018(Karnataka Act No.17 of 2018).

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (3), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-97

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 96 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Rai Technology University Act-2012 (Karnataka Act No.40 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Rai Technology University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Rai Technology University Act, 2012 (Karnataka Act No.40 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-98

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 84 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the C.M.R. University Act-2013 (Karnataka Act No.45 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the C.M.R. University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the C.M.R. University Act, 2013(Karnataka Act No.45 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-99

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 88 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Manipal University Act-2012 (Karnataka Act No.46 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Manipal University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Manipal University Act, 2012 (Karnataka Act No.46 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-100

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 73 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Amruta Sinchana Spiritual University Act-2012 (Karnataka Act No.21 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Amruta Sinchana Spiritual University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Amruta Sinchana Spiritual University Act, 2012(Karnataka Act No.21 of 2013);
(b) “Section” means section of the Act;
(c) “Council” means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-101

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 72 URC 2019, Dated: 18 -12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Arka University Act-2012 (Karnataka Act No.44 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Arka University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gezette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Arka University Act, 2012 (Karnataka Act No.44 of 2013);
(b) "Section" means section of the Act;
(c) "Council" means the Karnataka State Higher Education Council;
(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rules (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-102

GOVERNMENT OF KARNATRAKA

No. RDP 886 GPK 2016

Karnataka Government Secretariat,
M.S Building,
Bangalore, Date:29-02-2020.

NOTIFICATION

The draft of the Karnataka Grama Swaraj and Panchayat Raj (Staffing Pattern, Scale of Pay, Method of Recruitment and other Conditions of service of Employees of Grama Panchayat) Rules, 2020 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 311 read with clause (d) of the sub-section (1) of section 62 and sections 112 and 113 of the Karnataka Grama Swaraj and Panchayath Raj Act 1993 (Karnataka Act 14 of 1993) is hereby published as required by Section 311 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after fifteen days from the date of its publication in the Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft rules before the expiry of the period specified above will be considered by the State Government. Objections and suggestions may be addressed to the Principal Secretary to Government, Rural Development and Panchayath Raj Department, 3rd Floor, 3rd Gate, M.S. Building, Dr. B.R. Ambedkar Veedhi, Bengaluru – 560001.

DRAFT RULES

1. Title, Commencement and application.- (1) These rules may be called the Karnataka Grama Swaraj and Panchayat Raj (Staffing Pattern, Scale of Pay, Method of Recruitment and other Conditions of service of Employees of Grama Panchayat) Rules, 2020.

(2) They shall come into force from the date of their final publication in the Official Gazette.

(3) These rules shall apply to the recruitment of employees to all posts other than those appointed by Government or Directorate of Development Department in connection with the affairs of the Grama Panchayats in the State of Karnataka.

2. Definitions.- In these rules unless the context otherwise requires,-

(a) "Act" means the Karnataka Grama Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993);

(b) "Appointing Authority" means the concerned Grama Panchayat;

(c) "Selection Committee" means the Selection Committee constituted under rule-4;

(d) "Direct Recruitment" in relation to appointment to any service or post specified in the Schedule in the Grama Panchayat under these rules means recruitment other than by promotion, transfer and on deputation;

(e) "Employee" means a person appointed to the category of the posts specified in the Schedule in Grama Panchayat under these rules;

(f) "Promotion" means appointment of an employee from a lower post or grade of service or class of service to a higher post or higher grade of service or higher class of service in the Grama Panchayat under these rules;

(g) "Schedule" means schedule appended to these rules; and

(h) "Section" means the section of the Act;

3. Method of recruitment.- There shall be a Gram Panchayat service consisting of the category of post, as specified in column (2) of the schedule –I, their number of posts, method of recruitment and minimum qualification if any shall be as specified in the corresponding entries columns (3), (4) and (5) thereof.

4. Selection committee.- (1) There shall be a selection committee consisting of the following members for selection of candidates for direct recruitment of posts specified in the schedule-I pertaining to the Grama Panchayats of the respective District, namely:-

(a)	The Chief Executive Officer of the concerned Zilla Panchayat	: Chairperson
(b)	The Deputy Director, Social Welfare Department	: Member
(c)	The District Backward Classes welfare Officer	: Member
(d)	The District Minority welfare Officer	: Member
(g)	The Deputy Director, Women and Child Welfare Department	: Member
(h)	The Deputy Secretary of the concerned Zilla Panchayat (who is in charge of the service Matters of Grama Panchayat employees)	: Member Secreatry

(2) The Selection Committee shall meet at least once in six months and review the vacancies occurring in each Grama Panchayat of the respective District and shall take action to select eligible candidates after obtaining prior approval of the Chief Executive Officer of the concerned Zilla Panchayat.

(3) The Selection Committee shall follow the procedure for direct recruitment specified in these rules.

(4) The Selection Committee after ascertaining the direct recruitment vacancies to be filled invite applications from eligible candidates by advertising the notice of recruitment, specify the category of post, age limit, qualification and other details and specifying the last date of filing application, in the widely circulated news paper of district of which at least one shall be in kannada.

5. Method of Selection.-(1) The Selection Committee shall prepare a selection list equal to the number of vacancies notified to the category of posts of Bill Collector and Clerk cum Data entry operator or Data entry operator or water operator, attender and cleanears, on the basis of marks obtained in the qualifying examination.

(2) Reservation policy in direct recruitment quota shall be followed, as per the guidelines issued by the State Government from time to time taking the district as a unit to determine the roster position

(3) The selection Committee shall also prepare an additional selection list of candidate not exceeding ten percent of the vacancy notified in sub-rule (1)

(4) The appointing Authority shall appoint the candidates included in the selection list in the order in which their names are found in the selection list after verifying their documents and antecedents of the candidates and satisfying itself before appointment as per Karnataka Civil Services (General Recruitment) Rules, 1977. Inclusion of name in the select list does not confer any right of appointment on the candidates.

6. Appointment by Promotion.- All promotions shall be on the basis of combined seniority. A Grama Panchayat wise combined seniority list on the basis of length of service in the respective cadre shall be prepared by the concerned Panchayat Development Officer before promotion to the cadre of Bill collector and Clerk cum Data entry operator.

7. Conditions of Service.- The following conditions of service shall be applicable to the employee appointed under these rules, namely:-

(i) the Service Book of the employee shall be maintained by the Panchayat Development officer or Secretary Grade-1 of the concerned Grama Panchayat;

(ii) the Panchayat Development Officer of Grama Panchayat shall be the competent authority to sanction causal leave and restricted holidays

(except half-pay live) to the employee and the Executive Officer of Taluk Panchayat shall be the competent authority to sanction earned leave, extra-ordinary leave and other kinds of leave except half pay leave subject to the conditions as prescribed in the Karnataka Civil Services Rules;

(iii) every employee of the Grama Panchayat shall attain superannuation at the age of sixty years; and

(iv) employees shall be entitled for death cum retirement gratuity benefit at the rate of fifteen days salary for every year of Service but not exceeding fifteen months salary.

8. Disciplinary Authority.- The provisions of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 with modifications specified in Schedule-II and any other General rules governing condition of service of State Government employees regarding disciplinary action shall mutatis mutandis apply in so for as they are not inconsistent with these rules to the employees appointed under these rules.

9. Application of other rules.- The provisions of,-

(i) the Karnataka Civil Services Rules, 1957;

(ii) the Karnataka Civil Services (Seniority) Rules, 1957;

(iii) the Karnataka Civil Services (Conduct) Rules, 1966;

(iv) the Karnataka Civil Services (General Recruitment) Rules, 1977;

(v) the Karnataka Civil Services (Probation) Rules, 1977;

(vi) the Karnataka Civil Services (Appointment on Compassionate Ground) Rules, 1996; and

(vii) the Karnataka Government Servants (Medical Attendance) Rules, 1963. shall in so for as they are not repugnant to these rules be applicable with modifications to the employees governed by these rules.

10. Withdrawal of earlier Official Memorandum and Government orders.- The Government Order No. RDP 102 VEL 1990, Dated:10-01-1994, Official Memorandum No. GPA 67 GPC 2006, dated:04-1-2008, Government Order No.GPA 22 GPC 2014, Dated 10-09-2014 and Government Order No.GPA 103 GPC 2016, Dated 02-11-2017 or any other rules issued in respect of the posts specified in the schedule and any order regarding the staffing pattern and recruitment procedure are hereby withdrawn:

Provided that, such withdrawal or repeal shall not affect:

(i) the previous operation of anything done under the said Official Memorandum and Government orders or suffered thereunder; or

(ii) any right, privilege, obligation, or liability acquired, occurred or incurred under the said Official Memorandum and Government orders.

Schedule-I
(see rule 2 and 3)

Sl. No	Category of Posts	Method of Recruitment	Minimum Qualification
1	2	3	4
1	Bill Collector and clerk cum Data Entry Operator	Fifty percent by direct recruitment on the basis of merit; and fifty percent by promotion from the cadre of Water Operator / Attender / Cleaners on the basis of combined seniority. Seniority being determined by length of Service render in the respective cadres.	**For direct recruitment:** (1) Must have passed PUC examination or possess equivalent qualification with Kannada as one of the language ; (2) Must possess a certificate of three months computer training course from any institute recognized by the State or Central Government; or **For Promotion-**(1) Must have passed SSLC Examination or equivalent Examinations with Kannada one of the subject; and (2)Must have put in a service of not less than five years in the cadre of Water Operator / Attender / Cleaners.
2	Data Entry Operator	By direct recruitment on the basis of merit.	(1) Must have passed PUC examination or possess equivalent qualification with Kannada as one of the language ; (2) Must possess a certificate in three months computer training course from an institute recognized by the State or Central Government; (3) The Selection list shall be prepared on the basis of merit list; and (4) After Select list under clause (3) there shall be a qualifying computer literacy

			test with minimum of 35 marks in the literacy test for eligibility.
3	Water Operator	By direct recruitment on the basis of marks obtained in SSLC or equivalent examination.	Must have passed SSLC or equivalent examination with Kannada as one of the subject.
4	Attender	By direct recruitment on the basis of marks obtained in SSLC or equivalent examination.	Must have passed SSLC or equivalent examination with Kannada as one of the subject.
5	Cleaners	By direct recruitment on the basis of marks obtained in SSLC or equivalent examination.	Must have passed SSLC or equivalent examination with Kannada as one of the subject.

Note:

1. The Scale of pay is subject to revision in accordance with minimum wages revised by the Department of Labour from time to time.
2. Number of post for each Grama Panchayats will be provide in separately in the Government Orders.

Schedule-II
[See rule 2 and 9]

Sl.No	Category of Post	Appointing Authority	Disciplinary Authority	Penalty	Appellate Authority
1	**2**	**3**	**4**	**5**	**6**
(1)	Bill Collector and clerk cum Data Entry Operator	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat
(2)	Data Entry Operator	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a)	In accordance with rule 8 of Karnataka	Chief Executive Officer of Zilla

			2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	Civil Services (CCA) Rules, 1957.	Panchayat
(3)	Water Operator	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat
(4)	Attender	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat
(5)	Cleaners	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat

By order and in the
name of the Governor of Karnataka,

(S.A. Ashraful Hassan)
Director and Ex-Officio
Joint Secretary to Government
Rural Development & Panchayath Raj Department.

PR-103

GOVERNMENT OF KARNATAKA

No. UDD 10 TTP 2018

Karnataka Government Secretariat,
Vikasa Soudha,
Bangalore, Dated 28.02.2020

NOTIFICATION

Whereas the State Government is implementing the "One lakh multi-storeyed housing scheme" with the consolidated funds from the State schemes including Dr.Ambedkar housing scheme; Vajpayee Urban Housing and the Central Government PMAY(Urban) scheme.

Whereas the Housing policy of State Government has recommended reforms to enable Housing for all with special focus on providing housing for EWS and LIG categories. In this direction, Housing Department has sought certain relaxations in Zoning Regulations of Approved Master Plans in Bengaluru Metropolitan Region to enable optimum utilization of land in the One lakh multi-storeyed housing scheme" for Bengaluru, taken up by Rajiv Gandhi Housing Corporation Limited, and the Karnataka Slum Development Board has sought certain relaxations of approved Master Plans for In-Situ/Rehabilitation projects taken up by Karnataka Slum Development Board. The recommendations of the Housing Department are to facilitate the accommodation of optimum dwelling units in the available public lands.

Now, therefore in exercise of powers conferred under Section 13-E of Karnataka Town and Country Planning Act, 1961, Government of Karnataka proposes to make amendments to the Zonal Regulations of Master Plans of all the Local Planning Areas approved by Government for One lakh multi-storyed housing scheme taken up by Rajiv Gandhi Corporation Ltd. and In-Situ/Rehabilitation projects taken up by Karnataka Slum Development Board. It is hereby published for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after 30 days from the date of its publication in the official Gazette.

Any objections or suggestions that may be received from the public with respect to the said draft within the period specified above will be considered. The objections or suggestions may be addressed to the Additional Chief Secretary to Government, Urban Development Department, 4th Floor, Vikasa Soudha, Dr. Ambedkar Veedhi, Bengaluru 560001.

Draft Regulations.

In the Zonal Regulations of Master Plans of all the Local Planning Areas including Bengaluru, approved by Government for "One lakh multi-storyed housing scheme" taken up by Rajiv Gandhi Housing Corporation Ltd. and In-Situ/Rehabilitation projects taken up by Karnataka Slum Development Board the following regulations shall be applicable;-

1. At the end of the definition of Stilt Floor the following may be inserted namely.-

"However in case of Affordable Housing schemes undertaken by public agencies twenty percent of the stilt area may be permitted for dwellings for physically challenged beneficiaries, after reserving necessary car parking space as specified in these regulations".

2. Road **Width**

(i) For buildings upto 15m height, minimum road width shall be 7m.

(ii) For buildings with height more than 15m and upto 45m, minimum road width shall be 9m (Stilt/ground + 14 upper floors).

3. FAR: Maximum FAR allowable shall be upto **5**.

4. Car Parking; One car parking slot shall be provided for every six dwelling units of carpet area below 50 Sqm.

5. Corridors; Minimum width of the corridor in multi storied buildings shall be 1.80m.

6. "One lakh multi-storyed housing scheme" taken up by Rajiv Gandhi Housing Corporation Ltd. shall be permitted under special circumstances in all land use zones, subject to incorporation of roads proposed in the Master Plan.

By Order and in the name of the
Governor of Karnataka.

(C.S.SHIVAKUMARASWAMY)
Under Secretary to Government
Urban Development Department.

PR-104

P£ÁðlP «zÁ£¸¨
ºÀ¢£ÉzÀ£Á «zÁ£¸¨
Dg£Á C¢ªÃ±£

KARNATAKA LEGISLATIVE ASSEMBLY SECRETARIAT
NOTIFCATON

No: KLA/LGA/07/Bill/2020, Bengaluru, Dated : 20.02.2020

The following Bill was introduced in Legislative Assembly on 20.02.2020

P£ÁðlP «zÁ£¸¨
ºÀ¢£ÉzÀ£Á «zÁ£¸¨
Dg£Á C¢ªÃ±£

ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ (ಕರ್ನಾಟಕ ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020
(2020g «zÁ£¸¨AiÀ «zÃAiÀP ¸ASÉ-07)

ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯಕ್ಕೆ ಅನ್ವಯಿಸುವಲ್ಲಿ ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ, ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ನ್ನು (1947ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ XIV) ಕರ್ನಾಟಕ ರಾಜ್ಯಕ್ಕೆ ಅನ್ವಯಿಸುವಲ್ಲಿ ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ (ಕರ್ನಾಟಕ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 2ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ರ (1947ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ XIV) (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) 2ನೇ ಪ್ರಕರಣದ (ಎನ್) ಖಂಡದ (vi)ನೇ ಉಪಖಂಡದ ಪರಂತುಕದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

``ಮತ್ತು ಪರಂತು, `ಸಾರ್ವಜನಿಕ ಉಪಯೋಗ ಸೇವೆಗಳು' ಎಂದು ಘೋಷಿಸಲಾಗಿರುವ ವಿಶೇಷ ಆರ್ಥಿಕ ವಲಯದಲ್ಲಿನ ಕಾರ್ಯಸಂಸ್ಥೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಅಂಥ ಅವಧಿಯು ಒಂದು ಸಮಯದಲ್ಲಿ ಮೂರು ವರ್ಷಗಳಾಗಿರತಕ್ಕದ್ದು.''

3. ಅನುಸೂಚಿಯ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ ಮೊದಲನೆ ಅನುಸೂಚಿಯಲ್ಲಿ 33ನೇ ಕ್ರಮಸಂಖ್ಯೆಯ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

``34. ವಿಶೇಷ ಆರ್ಥಿಕ ವಲಯಗಳಲ್ಲಿನ ಕಾರ್ಯಸಂಸ್ಥೆ.''

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಕೈಗಾರಿಕಾ ಕಾರ್ಯನೀತಿಯ ಅನುಸಾರವಾಗಿ ಪ್ರತಿಯೊಂದು ಸಂದರ್ಭದಲ್ಲಿ ವಿಶೇಷ ಆರ್ಥಿಕ ವಲಯದಲ್ಲಿನ ಕಾರ್ಯಸಂಸ್ಥೆಗಳನ್ನು ಮೂರು ವರ್ಷಗಳ ಅವಧಿಗಾಗಿ ಸಾರ್ವಜನಿಕ ಉಪಯೋಗ ಸೇವೆಗಳೆಂದು ಘೋಷಿಸುವ ಮೂಲಕ ಅವುಗಳನ್ನು ಪ್ರೋತ್ಸಾಹಿಸುವುದಕ್ಕಾಗಿ ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ನ್ನು (1947ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ XIV) ಕರ್ನಾಟಕ ರಾಜ್ಯಕ್ಕೆ ಅನ್ವಯಿಸುವಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

Cg¨Ë¯ï ºÉ¨Ágï ²ªgÁªiï
PÁ«ÄðP ªÄvÄ ¸Pg ªÄAw

JA.P. «±Á¯ÁQë
PÁAiÄðzÀ²ð (¥)
P£ÁðlP «zÁ£ ¸¨

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE INDUSTRIAL DISPUTES (KARNATAKA AMENDMENT) BILL, 2020

(LA Bill No. 07 of 2020)

A Bill further to amend the Industrial Disputes Act, 1947 in its application to the State of Karnataka.

Whereas, it is expedient further to amend the Industrial Disputes Act, 1947 (Central Act XIV of 1947) in its application to the State of Karnataka for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Industrial Disputes (Karnataka Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 2.- In section 2 of the Industrial DisputesAct, 1947 (Central Act XIV of 1947) (herein after referred to as the Principal Act) in clause (n),in sub-clause (vi) after the proviso the following shall be inserted, namely:-

"Provided further that, in respect of establishments in Special Economic Zone declared as 'Public Utility Services' such period shall be three years at a time."

3. Amendment of the Schedule.- In the first schedule to the Principal Act, after serial number 33 the following shall be inserted namely:-

"34. Establishment in Special Economic Zones."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Industrial Disputes Act, 1947 (Central Act XIV of 1947) in its application to State of Karnataka so as to encourage the establishments in special economic zones by declaring them as public utility services for period of three years on each occasionin consonance with the Karnataka Industrial policy.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

Arabail Hebbar Shivaram
Minister for Labour
and Sugar

M.K. Vishalakshi
Secretary (I/c)

Karnataka Legislative Assembly

PR-105

KARNATAKA LEGISLATIVE ASSEMBLY SECRETARIAT
NOTIFCATON

No: KLA/LGA/08/Bill/2020,Bengaluru, Dated : 20.02.2020

The following Bill was introduced in Legislative Assembly on 20.02.2020

P£ÁðIP «zÁ£¸¨sÉ
ºÉÆ£ÀzÀ£À «zÁ£¸¨sÉ
Dg£À C¢ªÃ±£

ಕರ್ನಾಟಕ CAUrUÀ¼À ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020
(2020g «zÁ£¸¨sÉAiÀ «zÉÃAiÀP ¸ASÉå-08)

ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನು ಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನ ಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೆ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 25ನೇ ಪ್ರಕರಣದ ಪ್ರತಿಯೋಜನೆ.- ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ರ (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) 25ನೇ ಪ್ರಕರಣಕ್ಕೆ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"**25 ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಮಹಿಳೆಯರ ಉದ್ಯೋಗದ ನಿಯಂತ್ರಣ.-** (1) ಮಹಿಳಾ ಉದ್ಯೋಗಿಯು ಹಾಗೆ ಇಚ್ಛಿಸಿದಲ್ಲಿ, ಈ ಮುಂದಿನ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಅಂಗಡಿಗಳ ಅಥವಾ ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಅನುಮತಿಸಬಹುದು, ಎಂದರೆ:-

(ಎ) ಅಧಿನಿಯಮದ 7,8,9,10 ಮತ್ತು 12ನೇ ಪ್ರಕರಣಗಳ ಅಡಿಯಲ್ಲಿ ಗೊತ್ತುಪಡಿಸಿದ ನಿಯಂತ್ರಣವು ರಾತ್ರಿ ಪಾಳಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗೆ ಅನ್ವಯವಾಗುವುದು ಮುಂದುವರೆಯತಕ್ಕದ್ದು;

(ಬಿ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳ ಅಭಿಮತವನ್ನು (Willingness) ಲಿಖಿತದಲ್ಲಿ ಪಡೆದುಕೊಳ್ಳತಕ್ಕದ್ದು;

(ಸಿ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗೆ ನಿವಾಸದಿಂದ ಕೆಲಸದ ಸ್ಥಳಕ್ಕೆ ಮತ್ತು ಹಿಂದಿರುಗಲು ಸಾರಿಗೆ ಸೌಲಭ್ಯಗಳನ್ನು ಉಚಿತವಾಗಿ ಹಾಗೂ ಸಾಕಷ್ಟು ಭದ್ರತೆಯೊಂದಿಗೆ ಕಾರ್ಯಸಂಸ್ಥೆಯು ಒದಗಿಸತಕ್ಕದ್ದು. ಅಂಥ ಸಾರಿಗೆ ಸೌಲಭ್ಯವು ಮಾರ್ಗಪತ್ತೆ (tracking) ಮತ್ತು ಮೇಲ್ವಿಚಾರಣೆಗಾಗಿ ಜಾಗತಿಕ ಸ್ಥಳ ಮಾಹಿತಿ ಸೌಲಭ್ಯ (GPS) ಅನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು;

(ಡಿ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಯ ಉದ್ಯೋಗವು ಸರದಿಯ ಪ್ರಕಾರ ಇರತಕ್ಕದ್ದು;

(ಇ) ರಾತ್ರಿ ಪಾಳಿಯಲ್ಲಿ ಸಾಕಷ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಭದ್ರತಾ ಸಿಬ್ಬಂದಿಯನ್ನು ನಿಯೋಜಿಸಿರತಕ್ಕದ್ದು;

(ಎಫ್) ಖಾಸಗಿತನವನ್ನು ಕಾಪಾಡಲು ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳಿಗಾಗಿ ಪ್ರತ್ಯೇಕವಾಗಿ ಅಗತ್ಯವಿರುವಷ್ಟು ವಿಶ್ರಾಂತಿ ಕೊಠಡಿಗಳು, ವಿದ್ಯುತ್, ಶೌಚಾಲಯಗಳು, ಭದ್ರಕಪಾಟುಗಳು, ಔಷಧಾಲಯ ಸೌಲಭ್ಯ ಮತ್ತು ಸಾಕಷ್ಟು ನೀರು ಪೂರೈಕೆಯೊಂದಿಗೆ ಸ್ವಚ್ಛತಾ ಸೌಕರ್ಯಗಳನ್ನು ಒದಗಿಸತಕ್ಕದ್ದು;

(ಜಿ) ಸ್ವಯಂ ಅಥವಾ ಇತರ ಸಂಸ್ಥೆಗಳಿಂದ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ಪಡೆದ ಶಿಶುಕೇಂದ್ರದ ವೆಚ್ಚವನ್ನು ಕಾರ್ಯಸಂಸ್ಥೆಯು ಭರಿಸತಕ್ಕದ್ದು;

(ಎಚ್) ಕಾರ್ಯಸಂಸ್ಥೆಯು ಪತ್ರಿಯೊಬ್ಬ ಚಾಲಕನ ಸ್ವವಿವರವನ್ನು ಪಡೆದುಕೊಳ್ಳತಕ್ಕದ್ದು ಹಾಗೂ ನಿಯೋಜಿಸಿದ ಎಲ್ಲಾ ಚಾಲಕರ ಪೂರ್ವಚರಿತ್ರೆಗಳ ಉದ್ಯೋಗ ಪೂರ್ವ ಪರಾಮರ್ಶೆಯನ್ನು ಸ್ವಂತವಾಗಿ ನಡೆಸತಕ್ಕದ್ದು. ಹೊರಗುತ್ತಿಗೆ ಮೂಲಕ ನಿಯೋಜಿಸಿದ ಚಾಲಕರ ಕುರಿತು ಸೇವಾದಾತ ಸಂಸ್ಥೆಯು ಚಾಲಕರ ಸ್ವವಿವರ ಸಂಗ್ರಹ ಮತ್ತು ಪೂರ್ವಚರಿತ್ರೆಗಳ ಉದ್ಯೋಗ ಪೂರ್ವ ಪರಾಮರ್ಶೆಯನ್ನು ಕೈಗೊಂಡಿರುವ ಬಗ್ಗೆ ತಾನು ಮನಗಂಡಿರುವುದನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು;

(ಐ) ಹತ್ತಿಸಿಕೊಳ್ಳುವ ಮತ್ತು ಇಳಿಸುವ ಮಾರ್ಗದ ಸೂಚಿತ ಪಟ್ಟಿಯನ್ನು ಕಂಪನಿಯ ಮೇಲ್ವಿಚಾರಣಾ ಅಧಿಕಾರಿಯೇ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು. ತುರ್ತು ಸನ್ನಿವೇಶಗಳಲ್ಲಿ, ಚಾಲಕರ/ ಮಾರ್ಗಗಳ/ ಪಾಳಿಗಳ ಬದಲಾವಣೆಯನ್ನು ಮೇಲ್ವಿಚಾರಣಾ ಅಧಿಕಾರಿಗಳು/ ಉದ್ಯೋಗಿಗಳಿಗೆ ಮೊದಲೇ ತಿಳಿಸುವ ಮೂಲಕ ಮಾತ್ರವೇ ಅನುಮತಿಸತಕ್ಕದ್ದು;

(ಜೆ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳ ದೂರವಾಣಿ ಸಂಖ್ಯೆ, ವಿಶೇಷವಾಗಿ ಸಂಚಾರಿ ದೂರವಾಣಿ ಸಂಖ್ಯೆಗಳು, ಮಿಂಚಂಚೆ ಗುರುತು ಮತ್ತು ವಿಳಾಸಗಳನ್ನು ಅನಧಿಕೃತ ವ್ಯಕ್ತಿಗಳಿಗೆ ಬಹಿರಂಗಪಡಿಸತಕ್ಕದ್ದಲ್ಲ;

(ಕೆ) ಯಾವೊಬ್ಬ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳನ್ನು ಮೊದಲು ಹತ್ತಿಸಿಕೊಳ್ಳದಂತೆ ಹಾಗೂ ಕೊನೆಯಲ್ಲಿ ಇಳಿಸದಂತೆ ಎಚ್ಚರಿಕೆಯಲ್ಲಿ ಮಾರ್ಗಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡತಕ್ಕದ್ದು;

(ಎಲ್) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ರಾತ್ರಿ ಪಾಳಿಯ ವಾಹನಗಳಲ್ಲಿ ಮೊದಲು ಹತ್ತಿಕೊಳ್ಳುವಾಗ ಹಾಗೂ ಕೊನೆಗೆ ಇಳಿದುಕೊಳ್ಳುವಾಗ ಮತ್ತು ಕೆಲಸ ಮಾಡುವ ಸ್ಥಳಗಳಲ್ಲಿ ಕಂಪನಿಯೇ ಭದ್ರತಾ ಸಿಬ್ಬಂದಿಗಳನ್ನು ಒದಗಿಸತಕ್ಕದ್ದು.

(ಎಮ್) ಕಂಪನಿಯು ಗೊತ್ತುಪಡಿಸಿದ ಮೇಲ್ವಿಚಾರಕರು ಅಥವಾ ಸೇವಾದಾತರು ಸಾಧ್ಯವಾದಷ್ಟು ಮಟ್ಟಿಗೆ ಹಲವು ಮಾರ್ಗಗಳ ವಾಹನಗಳನ್ನು ಅನಿಯಮಿತವಾಗಿ (Randomly) ಪರೀಕ್ಷಿಸತಕ್ಕದ್ದು;

(ಎನ್) ಕಾರ್ಯಸಂಸ್ಥೆಯು ವಾಹನಗಳ ಚಲನವಲನವನ್ನು ನಿಗಾವಹಿಸಲು ನಿಯಂತ್ರಣಾ ಕೊಠಡಿ/ಸಾರಿಗೆ ಮೇಜನ್ನು (travel desk)ಹೊಂದಿರತಕ್ಕದ್ದು;

(ಓ) ತುರ್ತು ಸಮಯದಲ್ಲಿ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ಸಂಕೇತ ನೀಡುವ ಮೂಲಕ ಸಂಬಂಧಪಟ್ಟವರನ್ನು ಸಂಪರ್ಕಿಸಲು ಸಾಧ್ಯವಾಗುವ ಮೊಬೈಲ್ ನಲ್ಲಿನ ಆಪ್ ಒಂದನ್ನು ಕಾರ್ಯಸಂಸ್ಥೆಯು ಅಭಿವೃದ್ಧಿಪಡಿಸಬಹುದು ಮತ್ತು ಅಳವಡಿಸಿಕೊಳ್ಳಬಹುದು; ಮತ್ತು

(ಪಿ) ನಿಯಮಿಸಬಹುದಾದ ಯಾವುದೇ ಇತರ ಷರತ್ತು.

(2) ಮೇಲಿನ ಷರತ್ತುಗಳನ್ನು ಪಾಲಿಸುವಲ್ಲಿ ಯಾವುದೇ ಸಂಸ್ಥೆಯು ವಿಫಲವಾದಾಗ ಅದರ ನೋಂದಣಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ರದ್ದುಪಡಿಸತಕ್ಕದ್ದು."

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ರಾತ್ರಿ ಪಾಳಿಯಲ್ಲಿ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಅನುಮತಿ ನೀಡುವುದಕ್ಕೆ ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 2:	(1)ನೇ ಉಪ ಖಂಡದ (ಪಿ) ಬಾಬುವು, ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಮಹಿಳಾ ಉದ್ಯೋಗಿಗೆ ಅನುಮತಿಸಲು ಒಳಪಡುವ ಯಾವುದೇ ಇತರ ಷರತ್ತಿನ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.

ಪ್ರಸ್ತಾವಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದ್ದಾಗಿದೆ.

Cg¨Ë¯ï ºÉ¨ÁgïªÀgÁªÀiïï
PÁ«ÄðP ªÄvÄ ¸Pg ªÄAw

JA.P. «±Á¯ÁQë
PÁAiÄðzÀ²ð (¥)
P£ÁðlP «zÁ£ ¸¨

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ರ

(1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 08) ಉದ್ಧೃತ ಭಾಗ

xx xx xx

25 ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಮಹಿಳೆಯರು ಮತ್ತು ಯುವ ವ್ಯಕ್ತಿಗಳ ನಿಯೋಜನೆಯ ನಿಷೇಧ.- ಯಾವುದೇ ಮಹಿಳೆ ಅಥವಾ ಯುವ ವ್ಯಕ್ತಿಯು ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಉದ್ಯೋಗಿಯಾಗಿ ಅಥವಾ ಅನ್ಯಥಾ ಯಾವುದೇ ಕಾರ್ಯಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಅಗತ್ಯಗೊಳಿಸತಕ್ಕದ್ದಲ್ಲ ಅಥವಾ ಅನುಮತಿಸತಕ್ಕದ್ದಲ್ಲ:

ಪರಂತು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ರಾತ್ರಿವೇಳೆಯಲ್ಲಿ ಮಹಿಳೆಯರ ಉದ್ಯೋಗಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಈ ಪ್ರಕರಣದ ಉಪಬಂಧಗಳಿಂದ ಮಾಹಿತಿ ತಂತ್ರಜ್ಞಾನ ಅಥವಾ ಮಾಹಿತಿ ತಂತ್ರಜ್ಞಾನ ಬೆಂಬಲಿತ ಸೇವೆಯ ಯಾವುದೇ ಕಾರ್ಯಸಂಸ್ಥೆಯನ್ನು, ಆ ಕಾರ್ಯಸಂಸ್ಥೆಯು ಅಂಥ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳಿಗೆ ಸಾರಿಗೆ ಮತ್ತು ಭದ್ರತೆಯ ಸೌಲಭ್ಯಗಳನ್ನು ಒದಗಿಸುವ ಷರತ್ತಿಗೆ ಒಳಪಟ್ಟು ಹಾಗೂ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಯಾವುದೇ ಇತರ ಷರತ್ತಿಗೆ ಒಳಪಟ್ಟು ವಿನಾಯಿತಿಸಬಹುದು.

xx xx xx

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA SHOPS AND COMMERCIAL ESTABLISHMENTS (AMENDMENT) BILL, 2020

(LA Bill No. 08 of 2020)

A Bill further to amend the Karnataka Shops and Commercial Establishments Act, 1961.

Whereas, it is expedient further to amend the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 08 of 1962) purposes herein after appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Shops and Commercial Establishments (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Substitution of section 25.- For section 25 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 08 of 1962), the following shall be substituted,namely:-

"25. Regulation of employment of women during night.- (1)A woman employee who is so willing may be allowed towork in a shop or commercial establishment during night subject to the following conditions, namely:-

(a) The regulation stipulated under sections 7, 8, 9, 10 and 12 of the Act shall continue to apply to the women employee working during night shift;

(b) Willingness of women employees shall be obtained in writing;

(c) The establishment shall provide transport facilities from the residence of the woman employee to the workplace and back free of cost and with

adequate security. Such transport facility shall have GPS for tracking and monitoring;

(d) Employment of women employee shall be on rotation basis;

(e) Adequate number of security guards shall be posted during night shift;

(f) Sufficient rest rooms, electricity, latrines lockers, dispensary facility and washing facilities with adequate water supply shall be provided separately for women employees so as to secure privacy;

(g) The establishment shall bear the cost of crèche obtained by the women employees from voluntary or other organisations;

(h) The establishment shall obtain Bio-data of each driver and conduct pre-employment screening of the antecedents of all drivers employed on their own. As regards the driver employed through outsourcing, the company shall ensure to its satisfaction that the collection of Bio-data and conduct pre-employment screening of the antecedents of the drivers is carried out by the service provider;

(i) The Schedule of route of pick-up and drop shall be decided by the supervisory office of the company only. In case of exigencies, change of drivers/ routes/shifts shall be allowed only with the prior knowledge of supervisory officers/employees;

(j) The telephone number, particularly mobile phone numbers email ID and address of the women employees shall not be disclosed to unauthorised persons;

(k) Careful selection of routes shall be made in such a way that no women employees shall be picked up first and dropped last;

(l) The company shall provide security guards at work place and night shift vehicles when women employees are being picked up first or dropped last;

(m) The designated supervisors of the company or service provider shall randomly check the vehicles on various routes as for as possible;

(n) The establishment shall have a control room/travel desk for monitoring movement of vehicles;

(o) An App in mobile may be developed and adopted by the establishment through which the women employee can contact the concerned at the time of emergency by giving signal;and

(p) Any other condition as may be prescribed.

(2) If any establishment fails to comply with the above conditions, it shall lead to cancellation of the Registration Certificate."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 08 of 1962) to allowwomen employees to work in a shops and establishments during night shift.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2:	Item (p) of sub-clause (1), empowers the State Government to make rules regarding any other condition subject to which a woman employee may be allowed to work in a shop or commercial establishment during night.

The proposed delegation of legislative power is normal in character.

Arabail Hebbar Shivaram
Minister for Labour
and Sugar

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

Extract from the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 08 of 1962)

XX XXXX

25. Prohibition of employment of women and young persons during night.-No woman, or a young person shall be required or allowed to work whether as an employee or otherwise in any establishment during night:

Provided that the State Government may, by notification exempt any establishment of Information Technology or Information Technology enabled service from the provisions of this section relating to employment of women during night subject to the condition that the establishment provides facilities of transportation and security to such women employees and subject to any other condition as may be specified in the notification.

XX XXXX

PR-106

P£ÁðlP «zÁ£¸¨
ºÀ¢£ÉzÀ£Á «zÁ£¸¨
Dg£Á C¢ªÃ±£

No: KLA/LGA/09/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020g «zÁ£¸¨AiÀ «zÃAiÀP ¸ASÉ-09)

ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ನ್ನು (2001ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 29) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು, ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.-(1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ರಾಜ್ಯ ಸರ್ಕಾರವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಗೊತ್ತುಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 3ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ರ (2001ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 29) (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಿದೆ) 3ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(1) (1)ನೇ ಉಪಪ್ರಕರಣದ (ಬಿ) ಖಂಡದಲ್ಲಿ "ಬೀದರ್, ಗುಲಬರ್ಗಾ, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ" ಎಂಬ ಪದಗಳಿಗೆ "ಬೀದರ್ ಮತ್ತು ಕಲಬುರಗಿ ಜಿಲ್ಲೆಗಳ" ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು;

(2) (1ಐ) ಉಪಪ್ರಕರಣದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"(1ಜೆ) ರಾಯಚೂರಿನಲ್ಲಿ ಕೇಂದ್ರ ಕಾರ್ಯಸ್ಥಾನವನ್ನು ಹೊಂದಿರುವ ಹಾಗೂ ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ ಪ್ರದೇಶದ ಮೇಲೆ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯೊಂದಿಗೆ ಸಂಯೋಜನೆಗೊಳಿಸುವ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವಾಗಿ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವನ್ನು ಸ್ಥಾಪಿಸತಕ್ಕದ್ದು."

3. 5ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 5ನೇ ಪ್ರಕರಣದಲ್ಲಿ (12)ನೇ ಉಪಪ್ರಕರಣದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"(13) ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020ರ ಪ್ರಾರಂಭದ ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳಲ್ಲಿರುವ ಯಾವುವೇ ಕಾಲೇಜುಗಳು ಅಥವಾ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದಿಂದ ಅನುಭವಿಸುತ್ತಿರುವ ಯಾವುದೇ ವಿಶೇಷಾಧಿಕಾರವನ್ನು ಈ ಸಂಬಂಧದಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಹಿಂತೆಗೆದುಕೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ವಿಶೇಷಾಧಿಕಾರಗಳಿಗೆ ಈ ಹಿಂದೆ ಪ್ರವೇಶ ಪಡೆದುಕೊಂಡಿದ್ದ ಅಥವಾ ಸಂಯೋಜಿತವಾಗಿದ್ದ, ಎಲ್ಲ ಅಂಥ ಕಾಲೇಜುಗಳು ಅಥವಾ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳು, ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ವಿಶೇಷಾಧಿಕಾರಗಳಿಗೆ ಪ್ರವೇಶ ಪಡೆದುಕೊಂಡಿವೆ ಎಂದು ಅಥವಾ ಅದಕ್ಕೆ ಸಂಯೋಜಿತವಾಗಿವೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು."

4. 14ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 14ನೇ ಪ್ರಕರಣದ (4)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ, ಏಳನೇ ಪರಂತುಕದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"ಅಲ್ಲದೇ ಪರಂತು, ಈ ಪ್ರಕರಣದಲ್ಲಿ ವಿರುದ್ಧವಾದುದು ಏನೇ ಇದ್ದರೂ, ರಾಜ್ಯ ಸರ್ಕಾರವು, ತಾನು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂಥ ನಿಬಂಧನೆಗಳು ಮತ್ತು ಷರತ್ತುಗಳಿಗೊಳಪಟ್ಟು ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪ್ರಥಮ ಕುಲಪತಿಯವರನ್ನು ನೇಮಕ ಮಾಡತಕ್ಕದ್ದು."

5. ವಿಶೇಷಾಧಿಕಾರಿಯ ಅಧಿಕಾರಗಳು.- ಪ್ರಥಮ ಕುಲಪತಿಯನ್ನು ನೇಮಿಸುವವರೆಗೆ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಯಲದ ಸ್ಥಾಪನೆಗೆ ಕೈಗೊಳ್ಳುವ ಕ್ರಮಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ನೇಮಿಸಿದ ವಿಶೇಷಾಧಿಕಾರಿಯು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂತೆ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಮತ್ತು ಕುಲಪತಿಗಳ ಅಂಥ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಅಂಥ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

6. ಪ್ರಥಮ ಕುಲಪತಿಯ ಕರ್ತವ್ಯಗಳು.- (1) ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 (ಇಲ್ಲಿ ಇನ್ನು ಮುಂದೆ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮ ಎಂದು ಉಲ್ಲೇಖಿಸಿದೆ) ಜಾರಿಯಾದ ದಿನಾಂಕದಿಂದ ಆರು ತಿಂಗಳ ಅಥವಾ ಕುಲಾಧಿಪತಿಯು ನಿರ್ದೇಶಿಸಬಹುದಾದ ಒಂದು ವರ್ಷಕ್ಕೂ ಮೀರದ ಅಂಥ ದೀರ್ಘಾವಧಿಯೊಳಗೆ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಸಿಂಡಿಕೇಟ್, ವಿದ್ಯಾ ವಿಷಯಕ ಪರಿಷತ್ತು ಮತ್ತು ಇತರ ಪ್ರಾಧಿಕಾರಗಳನ್ನು ರಚಿಸುವುದಕ್ಕಾಗಿ ವ್ಯವಸ್ಥೆಗಳನ್ನು ಮಾಡುವುದು ಪ್ರಥಮ ಕುಲಪತಿಯ ಕರ್ತವ್ಯವಾಗಿರತಕ್ಕದ್ದು.

(2) (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ಪ್ರಾಧಿಕಾರಗಳು, ಈ ಬಗ್ಗೆ ಕುಲಾಧಿಪತಿಯವರು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಅವುಗಳ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಲು ಮತ್ತು ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಪ್ರಾರಂಭಿಸತಕ್ಕದ್ದು.

7. ತಾತ್ಕಾಲಿಕ ಉಪಬಂಧಗಳು.- (1) ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದಲ್ಲಿ ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ, ಪ್ರಥಮ ಕುಲಪತಿಯವರು ಕುಲಾಧಿಪತಿಯವರ ಪೂರ್ವಾನುಮೋದನೆಯೊಂದಿಗೆ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ, ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಎಲ್ಲಾ ಅಥವಾ ಯಾವುದೇ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಬಹುದು ಮತ್ತು ಆ ಉದ್ದೇಶಕ್ಕಾಗಿ, ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದ ಮೂಲಕ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಯಾವುದೇ ಪ್ರಾಧಿಕಾರವು ಚಲಾಯಿಸಬೇಕಾದ ಅಥವಾ ನಿರ್ವಹಿಸಬೇಕಾದ ಯಾವುದೇ ಅಧಿಕಾರಗಳನ್ನು ಅಥವಾ ಕರ್ತವ್ಯಗಳನ್ನು ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದಲ್ಲಿ ಉಪಬಂಧಿಸಿದಂತೆ ಅಂಥ ಪ್ರಾಧಿಕಾರವು ಅಸ್ತಿತ್ವಕ್ಕೆ ಬರುವವರೆಗೆ ಚಲಾಯಿಸಬಹುದು ಅಥವಾ ನೆರವೇರಿಸಬಹುದು.

(2) ಮೂಲ ಅಧಿನಿಯಮದ 5ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯಕ್ಕೆ ಸಂಯೋಜಿಸಲಾದ ಸಂಯೋಜಿತ ಕಾಲೇಜುಗಳಿಗೆ ಅಥವಾ ಇತರ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಿಗೆ ಅನ್ವಯವಾಗತಕ್ಕ, ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ರಚಿಸಿದ ಎಲ್ಲ ಪರಿನಿಯಮಗಳು, ಆರ್ಡಿನೆನ್ಸ್‌ಗಳು, ವಿನಿಯಮಗಳು ಮತ್ತು ನಿಯಮಗಳನ್ನು ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ರಚಿಸಿದ ಪರಿನಿಯಮಗಳು, ಆರ್ಡಿನೆನ್ಸ್‌ಗಳು, ವಿನಿಯಮಗಳು ಮತ್ತು ನಿಯಮಗಳೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅವು ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ತನ್ನದೇ ಆದ ಪರಿನಿಯಮಗಳು, ಆರ್ಡಿನೆನ್ಸ್‌ಗಳು, ವಿನಿಯಮಗಳು ಮತ್ತು ನಿಯಮಗಳನ್ನು ರಚಿಸುವವರೆಗೆ ಹಾಗೆಯೇ ಮುಂದುವರಿಯತಕ್ಕದ್ದು:

ಪರಂತು, ಕುಲಪತಿಯವರು, ಕುಲಾಧಿಪತಿಯವರ ಅನುಮೋದನೆಯೊಂದಿಗೆ, ತಾವು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಬಹುದಾದಂಥ ಮಾರ್ಪಾಡುಗಳನ್ನು ಅಥವಾ ಅಳವಡಿಕೆಗಳನ್ನು ಅದರಲ್ಲಿ ಮಾಡಬಹುದು.

8. ಕೆಲವು ಪರೀಕ್ಷೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಉಳಿಸುವಿಕೆ.- ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದ ಮೂಲ ಅಧಿನಿಯಮದಲ್ಲಿ ಅಥವಾ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮವು ಜಾರಿಗೆ ಬರುವ ನಿಕಟಪೂರ್ವದಲ್ಲಿ ಅದರ ಅಡಿಯಲ್ಲಿ ರಚಿಸಿದ ಪರಿನಿಯಮಗಳಲ್ಲಿ, ಆರ್ಡಿನೆನ್ಸ್‌ಗಳಲ್ಲಿ, ವಿನಿಯಮಗಳಲ್ಲಿ ಮತ್ತು ನಿಯಮಗಳಲ್ಲಿ ಏನೇ ಇದ್ದರೂ,-

(ಎ) ಜಾರಿಯಲ್ಲಿದ್ದ ಪರಿನಿಯಮಗಳಿಗೆ, ಆರ್ಡಿನೆನ್ಸ್‌ಗಳಿಗೆ, ವಿನಿಯಮಗಳಿಗೆ ಮತ್ತು ನಿಯಮಗಳಿಗೆ ಅನುಸಾರವಾಗಿ, ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪದವಿಗಾಗಿ ವ್ಯಾಸಂಗ ಮಾಡುತ್ತಿರುವ ಯಾವೊಬ್ಬ ವಿದ್ಯಾರ್ಥಿಗೆ, ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಅಂಥ ಪರೀಕ್ಷೆಯನ್ನು ವ್ಯವಸ್ಥೆಗೊಳಿಸುವವರೆಗೆ, ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪರೀಕ್ಷೆಗೆ ಪ್ರವೇಶ ನೀಡತಕ್ಕದ್ದು ಮತ್ತು ಅಂಥ ಪರೀಕ್ಷೆಯ ಫಲಿತಾಂಶದ ಆಧಾರದ ಮೇಲೆ ಅವನು ಅರ್ಹನಾಗುವ ಪದವಿ ಅಥವಾ ಡಿಪ್ಲೋಮಾವನ್ನು ಅವನಿಗೆ ಪ್ರದಾನ ಮಾಡತಕ್ಕದ್ದು.

(ಬಿ) ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಯಾವುದೇ ಪರೀಕ್ಷೆಯನ್ನು ನಡೆಸಿ ಅದರ ಫಲಿತಾಂಶವು ಪ್ರಕಟಿಸಿದ್ದು ಆದರೆ, ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಪದವಿ ಅಥವಾ ಡಿಪ್ಲೋಮಾವನ್ನು ಪ್ರದಾನ ಮಾಡಿರದಿದ್ದರೆ ಅಥವಾ ನೀಡಿರದಿದ್ದರೆ ಅಥವಾ ಯಾವುದೇ ಅಂಥ ಪರೀಕ್ಷೆಯ ಫಲಿತಾಂಶವನ್ನು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಪ್ರಕಟಿಸಿರದಿದ್ದರೆ, ಆಗ ಅಂಥ ಪರೀಕ್ಷೆಯನ್ನು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವೇ ನಡೆಸಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

9. ತೊಂದರೆಗಳ ನಿವಾರಣೆ.- ಈ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳನ್ನು ಜಾರಿಗೊಳಿಸುವಲ್ಲಿ ಯಾವುದೇ ತೊಂದರೆ ಉದ್ಭವಿಸಿದರೆ, ರಾಜ್ಯ ಸರ್ಕಾರವು, ಸರ್ಕಾರಿ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಅಧಿಸೂಚನೆ ಅಥವಾ ಆದೇಶವನ್ನು ಪ್ರಕಟಿಸುವ ಮೂಲಕ, ತೊಂದರೆಯನ್ನು ನಿವಾರಿಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಈ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಅಸಂಗತವಾಗದ, ತನಗೆ ಅವಶ್ಯವೆಂದು ಅಥವಾ ಯುಕ್ತವೆಂದು ಕಂಡುಬರಬಹುದಾದಂಥ ಉಪಬಂಧಗಳನ್ನು ರಚಿಸಬಹುದು:

ಪರಂತು, ಈ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮವು ಜಾರಿಯಾದ ದಿನಾಂಕದಿಂದ ಎರಡು ವರ್ಷಗಳ ಅವಧಿಯು ಮುಕ್ತಾಯವಾದ ತರುವಾಯ ಈ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅಂಥ ಅಧಿಸೂಚನೆ ಅಥವಾ ಆದೇಶವನ್ನು ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಪ್ರಾದೇಶಿಕ ಅಸಮತೋಲನತೆಯ ಮೇಲಿನ ಡಾ. ನಂಜುಂಡಪ್ಪ ಸಮಿತಿ ವರದಿಯ ಅನುಸಾರವಾಗಿ, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳು ಕರ್ನಾಟಕದಲ್ಲಿಯೇ ಅತಿ ಕಡಿಮೆ ನಿವ್ವಳ ಪ್ರವೇಶಾತಿಯನ್ನು ಹೊಂದಿವೆ. ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಸಂಯೋಜಿತ ಕಾಲೇಜುಗಳ ಸಂಬಂಧದಲ್ಲಿ ಅತಿದೊಡ್ಡ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳಲ್ಲಿ ಒಂದಾಗಿದೆ. ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಅನನುಕೂಲತೆಯ ಕೆಲಸದೊತ್ತಡವನ್ನು ಕಡಿಮೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಮತ್ತು ವಿದ್ಯಾರ್ಥಿಗಳ ಹಿತವನ್ನು ಪ್ರವರ್ಧಿಸುವುದಕ್ಕೆ ಹಾಗೂ ಹೈದರಾಬಾದ್ ಕರ್ನಾಟಕ ಪ್ರದೇಶದಲ್ಲಿ ಪ್ರಾದೇಶಿಕ ಅಸಮತೋಲನತೆಯನ್ನು ಕಡಿಮೆಯಾಗಿಸಲೂ ಕೂಡ ಮತ್ತು ಈ ಪ್ರದೇಶದ ಅಭಿವೃದ್ಧಿಗೆ ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳಿಗಾಗಿ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವೆಂದು ಕರೆಯಲಾಗುವ ಪ್ರತ್ಯೇಕ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವೊಂದನ್ನು ಸ್ಥಾಪಿಸುವುದು ಅತ್ಯಗತ್ಯವಾಗಿರುತ್ತದೆ.

ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವನ್ನು ವಿಭಜಿಸುವುದಕ್ಕೆ ಹಾಗೂ ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರವ್ಯಾಪ್ತಿಯನ್ನು ಹೊಂದಿರುವ, ರಾಯಚೂರಿನಲ್ಲಿ ಕೇಂದ್ರಕಾರ್ಯಸ್ಥಾನದೊಂದಿಗೆ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವನ್ನು ಸ್ಥಾಪಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ನ್ನು (2001ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 29)ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ರೂ. 220.00 ಲಕ್ಷಗಳ ಅಂದಾಜು ಆವರ್ತಕ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿದೆ.

qÁ. C±xï £ÁgÁAiÀt ¹.J£ï.
G¥ ªÀÄRåªÀÄAw ªÀvÀÄ G£ÀßvÀ ²PÀt,
ªiÁ»w vÀAvÀæÁ£À, «eÁÕ£À ªÀvÀÄ
vÀAvÀæÁ£À, PËıÀ¯Á©üªÀÈ¢Þ, GzÀåªÀÄ
²Ã®vÀ ªÀÄvÀÄ fÃª£ÆÃ¥ÁAiÀÄ ªÀÄAw

JA.P. «±Á¯ÁQë
PÁAiÀðzÀ²ð (¥)
P£ÁðlP «zsÁ£À ¸¨sÉ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ರ (2001ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 29) ಉದ್ಧೃತ ಭಾಗ

Xx xx xx

3. ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಸ್ಥಾಪನೆ ಮತ್ತು ನಿಗಮನ.- (1) 1976ರ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮದ 3ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿತವಾದ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳನ್ನು, ಇದರಲ್ಲಿ ಇನ್ನು ಮುಂದೆ ಉಪಬಂಧಿಸಲಾದಂತೆ, ಅವುಗಳ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯೊಡನೆ, ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿತವಾದ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

Xx xx xx

(ಬಿ) ಗುಲಬರ್ಗಾದಲ್ಲಿ ಕೇಂದ್ರ ಕಾರ್ಯಸ್ಥಾನವನ್ನು ಹೊಂದಿದ ಮತ್ತು ಬೀದರ್, ಗುಲಬರ್ಗಾ, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ ಪ್ರದೇಶದ ಮೇಲೆ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯನ್ನು ಹೊಂದಿರುವ ಗುಲಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯ; ಪರಂತು, ಇಡೀ ರಾಜ್ಯಕ್ಕೆ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಅಧಿಕಾರವ್ಯಾಪ್ತಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಒಂದು ವಿಸ್ತರಣಾ ಕೇಂದ್ರವನ್ನು ಮಂಡ್ಯದಲ್ಲಿ ಸ್ಥಾಪಿಸತಕ್ಕದ್ದು:

Xx xx xx

(1ಐ) ಮಂಡ್ಯದಲ್ಲಿ ಕೇಂದ್ರ ಕಾರ್ಯಸ್ಥಾನವನ್ನು ಹೊಂದಿರುವ ಮತ್ತು ಸರ್ಕಾರಿ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ), ಮಂಡ್ಯ ಇದರ ಮೇಲೆ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯನ್ನು ಹೊಂದಿರುವ ಒಂದು ಏಕಾತ್ಮಕ ಸ್ವರೂಪದ ಮಂಡ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯ, ಮಂಡ್ಯ ಇದನ್ನು ಸ್ಥಾಪಿಸತಕ್ಕದ್ದು."

Xx xx xx

5. ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿ, ವಿಶೇಷಾಧಿಕಾರ ಇತ್ಯಾದಿಗಳಿಗೆ ಪ್ರವೇಶಾವಕಾಶ.-

Xx xx xx

(12) ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2019ರ ಪ್ರಾರಂಭಕ್ಕೆ ಮೊದಲು ಸರ್ಕಾರಿ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ) ಮಂಡ್ಯ ಇದು ಮೈಸೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದಿಂದ ಅನುಭವಿಸುತ್ತಿರುವ ಯಾವುದೇ ವಿಶೇಷಾಧಿಕಾರವನ್ನು, ರಾಜ್ಯ ಸರ್ಕಾರವು ಈ ಸಂಬಂಧದಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಹಿಂತೆಗೆದುಕೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಸರ್ಕಾರಿ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ) ಮಂಡ್ಯ ಇದು ಮಂಡ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಘಟಕ ಕಾಲೇಜು ಅಥವಾ ವಿದ್ಯಾಲಯವಾಗಿ ಸದರಿ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ವಿಶೇಷಾಧಿಕಾರಗಳಿಗೆ ಪ್ರವೇಶ ಪಡೆದುಕೊಂಡಿವೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

Xx xx xx

14. ಕುಲಪತಿ.- (1) ಕುಲಪತಿಯು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪೂರ್ಣಕಾಲಿಕ ಅಧಿಕಾರಿಯಾಗಿರತಕ್ಕದ್ದು.

Xx xx xx

(4) ಶೋಧನಾ ಸಮಿತಿಯು, ಖ್ಯಾತ ಶಿಕ್ಷಣ ತಜ್ಞರಾದ ಮೂರು ವ್ಯಕ್ತಿಗಳ ಒಂದು ಪಟ್ಟಿಯನ್ನು ಅಕಾರಾದಿ ಕ್ರಮದಲ್ಲಿ ರಾಜ್ಯಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸತಕ್ಕದ್ದು ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ಆ ಪಟ್ಟಿಯನ್ನು ಕುಲಾಧಿಪತಿಯವರಿಗೆ ಕಳುಹಿಸತಕ್ಕದ್ದು, ಅವರು ಅರ್ಹತೆ, ಸಮದರ್ಶಿತ್ವ ಮತ್ತು ಸಾಮಾಜಿಕ ನ್ಯಾಯ ಇವುಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರದ ಸಹಮತಿಯೊಡನೆ ಪಟ್ಟಿಯಿಂದ ಒಬ್ಬ ವ್ಯಕ್ತಿಯನ್ನು ಕುಲಪತಿಯಾಗಿ ನೇಮಕ ಮಾಡತಕ್ಕದ್ದು:

Xx xx xx

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA STATE UNIVERSITIES (AMENDMENT) BILL, 2020

(LA Bill No. 09 of 2020)

A Bill further to amend the Karnataka State Universities Act, 2000.

Whereas it is expedient further to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India as follows:-

1. Short title and commencement.- This Act may be called the Karnataka State Universities (Amendment) Act, 2020.

(2) It shall come into force on such date as the State Government may, by notification, in the Official Gazette, appoint.

2. Amendment of section 3.- In the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) (hereinafter referred to as the principal Act), in section 3,-

(1) in sub-section (1), in clause (b), for the words, "the districts of Bidar, Gulbarga, Raichur and Yadagiri", the words "the districts of Bidar and Kalaburagi" shall be substituted;

(2) after sub-section (1I), the following shall be inserted, namely:-

"(1J) There shall be established the Raichur University, as an affiliating University with headquarters at Raichur and territorial jurisdiction extending over the districts of Raichur and Yadagiri."

3. Amendment of section 5.- In section 5 of the principal Act, after sub-section (12), the following shall be inserted, namely:-

"(13) Any privilege enjoyed from the Gulbarga University by the colleges or educational institutions situated in Raichur and Yadagiri districts before the commencement of the Karnataka State Universities (Amendment) Act, 2020 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and all such colleges or educational institutions previously admitted to the privileges of, or affiliated to Gulbarga University shall be deemed to be admitted to the privilege of, or affiliated to the Raichur University."

4. Amendment of section 14.- In section 14 of the principal Act, in sub-section (4), after the seventh proviso, the following shall be inserted, namely:-

"Provided also that notwithstanding anything contrary contained in this section, first Vice-Chancellor of the Raichur University shall be appointed by the State Government subject to such terms and conditions as may be specified by it."

5. Powers of Special Officer.- The Special officer appointed by the State Government for the purpose of taking steps to establish the Raichur University, shall exercise such of the powers and perform such of the functions of the University and the Vice-Chancellors as may be specified by the State Government, until the first Vice-Chancellor is appointed.

6. Duties of the first Vice-Chancellor.- (1) It shall be duty of the first Vice-Chancellor, to make arrangements for constituting the Syndicate, Academic Council and other authorities of the Raichur University within six months from the date of commencement of the Karnataka State Universities (Amendment) Act, 2020 (hereinafter referred to as the Amendment Act) or such longer period not exceeding one year as the Chancellor may direct.

(2) The Authorities constituted under sub-section (1) shall commence to exercise, their powers and perform their functions on such date as the Chancellor may specify in this behalf.

7. Transitory provisions.- (1) Notwithstanding anything contained in the Principal Act as amended by the Amendment Act the first Vice-Chancellor may, with the previous approval of the Chancellor, discharge all or any of the

functions of the Raichur University for the purpose of carrying out of the provisions of the Principal Act as amended by the Amendment Act and for that purpose may exercise any power or perform any duty which by the Principal Act as amendment by the Amendment Act is to be exercised or performed by any Authority of the University until such Authority comes into existence as provided by the Principal Act as amended by the Amendment Act.

(2) All Statutes, ordinances, regulations and rules made by the Gulbarga University applicable to the affiliated colleges or other educational institutions which are deemed to be affiliated to the Raichur University under section 5 of the principal Act shall be deemed to be the statutes, ordinances, regulations and rules made by the Raichur University and shall continue as such till the Raichur University makes its own Statutes Ordinance, Regulations and Rules:

Provided that, the Vice-Chancellor may with the approval of the Chancellor make such modification and adaptations therein as he may consider necessary.

8. Savings of certain examination.- Notwithstanding anything contained in the Principal Act as amended by the Amendment Act or the statues, ordinances, regulations and rules made thereunder, where immediately before the commencement of the Amendment Act,-

(a) any student studying for a degree of the Gulbarga University in accordance with the statutes, ordinances, regulations and rules in force he may until such examination is provided by the Raichur University, be admitted to the examination of the Gulbarga University and be conferred with the degrees or diplomas for which he qualifies on the result of such examination; and

(b) the Gulbarga University has held any examination, the result of which has been published but the degrees or diplomas relating there to have not been conferred or issued or the result of any such examination has not been published by the Gulbarga University, then such examination shall be deemed to have been held by the Gulbarga University.

9. Removal of difficulties.- If any difficulty arises in giving effect to the provisions of this Amendment Act, the State Government may, by notification or

by order published in the Official Gazette, make such provisions which are not inconsistent with the provisions of this Amendment Act as appear it to be necessary or expedient for the purposes of removing the difficulty:

Provided that, no such notification or order under this section shall be made after the expiry of the period of two years from the date of commencement of this Amendment Act.

STATEMENT OF OBJECTS AND REASONS

According to Dr. Nanjundappa Committee Report on the regional imbalance, Raichur and Yadagiri districts have the lowest Gross Enrolment ratio in the Karnataka. Gulbarga University is one of the largest universities in terms of affiliated colleges. In order to reduce the unwieldy work load of Gulbarga university and to promote convenience of the students and also to reduce the regional imbalance in the Hyderabad Karnataka Region and for the development of this region it has become imperative to establish a separate university for districts of Raichur and Yadagiri called Raichur University.

Therefore, it is consider necessary to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) to bifurcate the Gulbarga university and to establish the Raichur university with head quarters at Raichur having territorial jurisdiction over the districts of Raichur and Yadagiri.

Hence the Bill.

FINANCIAL MEMORANDUM

There will be an approximate recurring expenditure of Rs. 220.00 lakhs by the proposed legislative measure.

DR. ASHWATH NARAYAN C.N.

Deputy Chief Minister and
Minister for Higher Education,
IT & BT, Science and Technology,
Skill Development, Entrepreneurship
and livelihood

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE KARNATAKA STATE UNIVERSITIES ACT, 2000 (KARNATAKA ACT 29 OF 2001)

xx xx xx

3. Establishment and Incorporation of Universities.- (1) The Universities established under section 3 of the Karnataka State Universities Act, 1976 shall be deemed to have been established under this Act with their territorial jurisdictions as hereinafter provided namely:-

xx xx xx

(b) The Gulbarga University with headquarters at Gulbarga and territorial jurisdiction extending over the districts of Bidar, Gulbarga, Raichur and Yadagiri.

xx xx xx

(1I) There shall be established the Mandya University, Mandya of unitary in nature with head quarters at Mandya and territorial jurisdiction extending over the Government College (Autonomous), Mandya."

xx xx xx

5. Jurisdiction, admission to privileges, etc.-

xx xx xx

(12) Any privilege enjoyed from the Mysuru University by the Government College (Autonomous), Mandya before the date of commencement of the Karnataka State Universities (Amendment) Act, 2019 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and the Government College (Autonomous), Mandya shall be deemed to be admitted to the privileges of the Mandya University as constituent college or a school of the said University .

xx xx xx

14. The Vice-Chancellor.-

xx xx xx

(4) The Search Committee shall submit to the State Government a panel of three persons who are eminent academicians, in the alphabetical order. The State Government shall forward the panel to the Chancellor who shall keeping in view

merit, equity and social justice and with the concurrence of the State Government, appoint one person from the panel as the Vice-Chancellor.

xx xx xx

PR-107

P£ÁðlP «zÁ£¸¨
º¢£ÉzÀ£Ã «zÁ£¸¨
Dg£Ã C¢ªÃ±£

No: KLA/LGA/10/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ವಿಧೇಯಕ, 2020

(2020g «zÁ£¸¨AiÀ «zÃAiÀP ¸ASÉ-10)

ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪನೆಯಾದ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಂತ್ರಣದಡಿಯಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಅನುದಾನಿತ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ಒಂದು ವಿಧೇಯಕ.

ಭಾರತ ಸಂವಿಧಾನದ 309ನೇ ಅನುಚ್ಛೇದದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮತ್ತು ಭಾರತ ಸಂವಿಧಾನದ ಏಳನೇ ಅನುಸೂಚಿಯ IIನೇ ಪಟ್ಟಿಯ 14, 32 ಮತ್ತು 41ನೇ ನಮೂದುಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೂ IIIನೇ ಪಟ್ಟಿಯ 25ನೇ ನಮೂದಿನ ಅಡಿಯಲ್ಲಿ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲವು ಸಾರ್ವಜನಿಕ ಸೇವೆಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಮಾಧ್ಯಮಗಳೊಂದಿಗೆ ಸಂಬಂಧಿಸಿದ ಹುದ್ದೆಗಳಿಗೆ ನೇಮಕವಾದ ವ್ಯಕ್ತಿಗಳ ಸೇವಾಷರತ್ತುಗಳನ್ನು ಕಾನೂನಿನ ಮೂಲಕ ನಿಯಂತ್ರಿಸಬಹುದಾಗಿರುವುದರಿಂದ;

ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಅಥವಾ ಸಂಸ್ಥೆಗಳ ಮೂಲಕ ನಿಯೋಜಿತರಾದ ಯುಜಿಸಿ/ಎಐಸಿಟಿಇ/ಐಸಿಎಆರ್ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳನ್ನು ಪಡೆಯುತ್ತಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಹುದ್ದೆಯೊಂದರಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ನೇಮಕವಾದ ಶಿಕ್ಷಕರೊಬ್ಬರು ಆ ಹುದ್ದೆಯ ಪೂರ್ವಭಾವ್ಯ ವೇತನವನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವರಾಗಿರುತ್ತಾರೆ ಮತ್ತು ಅಂಥ ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ಸಮಯದಲ್ಲಿ ನಿವೃತ್ತಿವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಅನ್ವಯವಾಗುವ ನಿಯಮಗಳು/ ಆದೇಶಗಳಿಗನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ನಿವೃತ್ತ ಶಿಕ್ಷಕರು ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದ ಉಳಿದ ಸರ್ಕಾರಿ ನಿವೃತ್ತಿದಾರರಿಗೆ ತತ್ಸಮಾನರಾಗಿರುತ್ತಾರೆ. ಮುಂದುವರೆದು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ವಹಿಸಿ ಅನುದಾನ ನೀಡುತ್ತಿರುವ ಸಂಸ್ಥೆಗಳಲ್ಲಿ

ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರು ಮತ್ತು ತತ್ಸಮಾನ ವೃಂದದ ಸಿಬ್ಬಂದಿಯ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಮಗಳ ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು ಎನ್ನುವುದು ಕೂಡಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಸ್ಥಾಪಿತ ನೀತಿಯಾಗಿರುತ್ತದೆ. ನಿವೃತ್ತಿ ವೇತನದ ಸಂಬಂಧದಲ್ಲಿ cut-off ದಿನಾಂಕವನ್ನು ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಬಹುದೊಡ್ಡ ಹಣಕಾಸಿನ ತೊಡಕುಗಳು ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಹಣಕಾಸಿನ ನೆರವು, ಮುಂತಾದವುಗಳು ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ ಅಂಥ ಇತರ ಸಂಬಂಧಪಟ್ಟ ಅಂಶಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡು ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಪೂರ್ವಭಾವಿ ನೀತಿಯ ವಿಷಯದಂತೆ, ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ cut-off ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು ನಿವೃತ್ತರಾದ ನಿವೃತ್ತ ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿರ್ಧಾರದ ಅನುಸಾರವಾಗಿ ಸಂವಾದಿ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯು ಜಾರಿಯಾದಾಗಲೆಲ್ಲಾ, ಮತ್ತಷ್ಟು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡಬೇಕಾಗಿರುವುದರಿಂದ;

ಉನ್ನತ ಶಿಕ್ಷಣದ ಸಂಬಂಧದಲ್ಲಿ ಶೈಕ್ಷಣಿಕ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲಹಾ ಸಮಿತಿಯಾಗಿರುವುದು ಮತ್ತು ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಶಿಕ್ಷಕರ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನದ ಪರಿಷ್ಕರಣೆಯ ಕುರಿತು ಶಿಫಾರಸ್ಸು ಮಾಡಲು ಅಥವಾ ಸಲಹೆ ನೀಡಲು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, 2010ರ (2010ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 26) ಅಡಿಯಲ್ಲಿ ಸದರಿ ಪರಿಷತ್ತಿಗೆ ಯಾವುದೇ ಅಧಿಕಾರವನ್ನು ನೀಡಲಾಗಿರುವುದಿಲ್ಲ. ಪರಿಷತ್ತಿನ ಯಾವುದೇ ಸೂಚನೆ ಅಥವಾ ಸಲಹೆಯು ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೇಲೆ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲವಾದ್ದರಿಂದ;

ಸರ್ಕಾರವು ದಿನಾಂಕ:24.07.2015ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ, 01-01-2006ಕ್ಕೂ ಮೊದಲಿನ ನಿವೃತ್ತಿದಾರರಿಗೆ 2006ರ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತಿನ ಶಿಫಾರಸ್ಸನ್ನು ತಿರಸ್ಕರಿಸಿದೆ. ರಿಟ್ ಪಿಟಿಷನ್ ಸಂಖ್ಯೆ:775-787/2015 (ಎಸ್-ಆರ್) ಮೂಲಕ ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಛ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸಲಾಗಿದ್ದು ಸದರಿ ರಿಟ್ ಪಿಟಿಷನ್ ಅನ್ನು ಪುರಸ್ಕರಿಸಿ, ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಛ ನ್ಯಾಯಾಲಯವು ಈ ರೀತಿ ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿರುವುದರಿಂದ, ಎಂದರೆ:-

> **"The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words "permissible in law" in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues**

to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14."

ಬಿ.ಜೆ.ಅಕ್ಕರ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಭಾರತ ಸರ್ಕಾರ ಮತ್ತು ಇತರರು [(2006) 11 ಎಸ್‌ಸಿಸಿ 709] ಈ ವಿಷಯದಲ್ಲಿ ಭಾರತದ ಮಾನ್ಯ ಸರ್ವೋಚ್ಛ ನ್ಯಾಯಾಲಯವು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿಯ ಕೆಲವು ಸುನಿಶ್ಚಿತವಾದ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿದ್ದು, ಅದಕ್ಕನುಸಾರವಾಗಿ, ನಿರ್ದಿಷ್ಟ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾಗುವ ಎಲ್ಲಾ ನಿವೃತ್ತಿದಾರರು ಎಲ್ಲಾ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಏಕ ವರ್ಗವಾಗಿ ರೂಪುಗೊಳ್ಳುವುದಿಲ್ಲ. ವೇತನದ ವ್ಯತ್ಯಾಸದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ವಿವಿಧ ವೇತನ ಶ್ರೇಣಿಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ನಿವೃತ್ತಿಯ ಸಮಯದಲ್ಲಿ ಸರಾಸರಿ ಲೆಕ್ಕಹಾಕಬಹುದಾದ ಉಪದಾನಗಳು ಇದ್ದಲ್ಲಿ ಒಂದೇ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾದ ನಿವೃತ್ತಿದಾರರಿಗೆ ಒಂದೇ ತೆರನಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನೀಡಬೇಕಾಗಿಲ್ಲ. ಮೇಲಿನ ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಕ್ಸ್ ನ್ಯಾಯಲಯವು ವಿವರಿಸಿದ ತತ್ವಗಳೂ ಕೂಡಾ ರಾಜ್ಯ ನೀತಿಯ ಅನುಸಾರವಾಗಿರುವುದರಿಂದ;

ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಮತ್ತು ಇತರರು ವಿರುದ್ದ ಬಿಹಾರ ರಾಜ್ಯ ಮತ್ತು ಇತರರು ಇದರಲ್ಲಿ (2013) 8ಎಸ್‌ಸಿಸಿ 633ರಲ್ಲಿ ವರದಿಯಾದಂತೆ, ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ರಾಜ್ಯದ ಮೇಲೆ ಸ್ವಯಂಚಾಲಿತವಾಗಿ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲ. ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ಶಾಸನಬದ್ದ ಬಲವಿದ್ದಾಗ್ಯೂ ಅಂಥ ನಿಯಮಗಳು ರಾಜ್ಯದ ಸಮಗ್ರ ಅಧಿಕಾರವನ್ನು ಮೊಟಕುಗೊಳಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವಾದ್ದರಿಂದ ಪ್ರಸ್ತುತ ವಾಸ್ತವತೆಯಲ್ಲಿ ಸನ್ನಿವೇಶವು ರಾಜ್ಯ ನೀತಿಯ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ಬರುವುದರಿಂದ ಮತ್ತು ಜಗದೀಶ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಅನುಸರಿಸುವಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾಗಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಪರಿಷ್ಕೃತ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ವಿಸ್ತರಿಸಲಾಗುವುದಿಲ್ಲ ಎಂಬುದು ರಾಜ್ಯದ ನೀತಿ ನಿರ್ಣಯವಾಗಿರುವುದರಿಂದ;

ಕೇಂದ್ರ ಸರ್ಕಾರವು ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು ಮತ್ತು ಕಾಲೇಜುಗಳ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿರುವ ಶಿಕ್ಷಕರಿಗೆ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ ಉದ್ದೇಶಿಸಿರುವಂತೆ ನಿವೃತ್ತಿ ವೇತನ ಸ್ವರೂಪದ ಪರಿಷ್ಕರಣೆಯ ಪ್ರಯೋಜನವನ್ನು ನೀಡುವುದು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಡ್ಡಾಯವಾಗಿರುವುದಿಲ್ಲ ಎಂಬುದಾಗಿ ಸೂಚಿಸಿರುತ್ತದೆ ಹಾಗೂ ಅಂತೆಯೇ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ನಿಹಿತವಾಗಿರುವ ವಿವೇಚನಾ ಅಧಿಕಾರಗಳ ಅನುಸಾರವಾಗಿ ಭಾರತ ಸರ್ಕಾರದ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಂತೆ ಪ್ರಯೋಜನಗಳನ್ನು ನೀಡಲಾಗುವುದಿಲ್ಲವೆಂದು ತೀರ್ಮಾನಿಸಲಾಗಿರುವುದರಿಂದ;

ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಎಸ್.ಠಾಕೂರ್ [(2009)(1) ಎನ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 329] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಭಾರತ ಸರ್ವೋಚ್ಛ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ "ಸ್ವೀಕಾರಾರ್ಹ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯ ಮೇಲೆ ತೀರ್ಮಾನಿಸುವುದು ಕಾರ್ಯಾಂಗದ ಪ್ರಕಾರ್ಯವಾಗಿದೆ ಹಾಗೂ ಅಂಥ ಆಡಳಿತಾತ್ಮಕ ತೀರ್ಮಾನದ ನ್ಯಾಯಿಕ ಪುನರಾವಲೋಕನದ ವ್ಯಾಪ್ತಿಯು ಸೀಮಿತವಾಗಿದೆ". ಮುಂದುವರೆದು, ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಮಾಣಿಕ್ ಲಾಲ್ ಬ್ಯಾನರ್ಜಿ [2006 ಎಸ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 1959] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ ವೇತನಶ್ರೇಣಿಯನ್ನು ಪರಿಷ್ಕರಿಸುವಾಗ ಹಣಕಾಸು ತೊಡಕಿನ ಆಧಾರದ ಮೇಲೆ **cut-off** ದಿನಾಂಕವನ್ನು ನಿಗದಿಪಡಿಸುವುದು ಪ್ರಮುಖ ಅಂಶವಾಗಿರುವುದರಿಂದ;

ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ನಿರ್ಧರಣೆಯು ರಾಜ್ಯದ ನೀತಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ರಚಿಸಿದ ನಿಯಮಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಹೆಚ್ಚಿಸಿ

ಮಂಜೂರು ಮಾಡುವ ಯಾವುದೇ ತಿರ್ಮಾನವು ರಾಜ್ಯ ಸರ್ಕಾರದ ನೀತಿಯಲ್ಲಿ ಇರುವುದಿಲ್ಲ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ದಿನಾಂಕದಂದು ಸೇವೆಯು ಕೊನೆಗೊಳ್ಳಬೇಕಾದ ಶಿಕ್ಷಕರು ಅವರದೇ ಆದ ಪ್ರತ್ಯೇಕ ವರ್ಗವನ್ನು ರಚಿಸಿಕೊಳ್ಳುವರು. ತರುವಾಯದಲ್ಲಿ ವೇತನ ಪರಿಷ್ಕರಿಸಲಾದ ಶಿಕ್ಷಕರೊಂದಿಗೆ ಅವರನ್ನು ಸಮೀಕರಿಸಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಮುಂದುವರೆದು, ಇದು ದೊಡ್ಡ ಮೊತ್ತಗಳ ಹಣ ಪಾವತಿಯನ್ನು ಒಳಗೊಂಡಿರುವುದು ಹಾಗೂ ರಾಜ್ಯ ಬೊಕ್ಕಸಕ್ಕೆ ಹೆಚ್ಚಿನ ಹಣಕಾಸು ಹೊರೆಯನ್ನು ಉಂಟುಮಾಡುವುದರಿಂದ;

ಮತ್ತು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಹಾಗೂ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಗೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ಶಿಕ್ಷಕರಿಗೆ ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಸೌಲಭ್ಯಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವಲ್ಲಿನ ಗೊಂದಲವನ್ನು ಬಗೆಹರಿಸುವುದು ಯುಕ್ತವಾಗಿರವುದರಿಂದ ಮತ್ತು ಅಗತ್ಯವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) 2, 3, 4, 5, 6 ಮತ್ತು 12ನೇ ಪ್ರಕರಣಗಳು 1ನೇ ಜನವರಿ 1986ರಿಂದ ಜಾರಿಗೆ ಬಂದಿರುವುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಉಳಿದ ಉಪಬಂಧಗಳು 17ನೇ ಜನವರಿ 2020 ರಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. ಪರಿಭಾಷೆಗಳು.- ಈ ಅಧಿನಿಯಮದಲ್ಲಿ ಅನ್ಯಥಾ ಅಗತ್ಯಪಡಿಸಿದ ಹೊರತು:-

(i) "ಎಐಸಿಟಿಇ" ಎಂದರೆ ಅಖಿಲಭಾರತ ತಾಂತ್ರಿಕ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, 1987ರ (1987ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ 52) ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿಸಿದ ಅಖಿಲ ಭಾರತ ತಾಂತ್ರಿಕ ಶಿಕ್ಷಣಾ ಪರಿಷತ್ತು;

(ii) "ಕಾಲೇಜು" ಯಾವುದೇ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅಥವಾ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಘಟಕ ಕಾಲೇಜಿನ ಮೂಲಕ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಅಥವಾ ಅನುಮೋದಿಸಿದ ಅಥವಾ ಸಂಯೋಜನೆಗೊಂಡ ಮತ್ತು ವಿಶ್ವವಿದ್ಯಾಲಯದ ಪರೀಕ್ಷೆಗೆ ಅಧ್ಯಯನ ಕೋರ್ಸುಗಳನ್ನು ಒದಗಿಸುತ್ತಿರುವ ಯಾವುದೇ ಕಾಲೇಜು ಅಥವಾ ಸಂಸ್ಥೆ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೂಲಕ ಪ್ರಮುಖವಾಗಿ ಅಥವಾ ಭಾಗಶಃ ಅನುದಾನ ಪಡೆಯುತ್ತಿರುವ ಅಥವಾ ರಾಜ್ಯದ ನಿಯಂತ್ರಣದಲ್ಲಿರುವ ಸ್ವಾಯತ್ತ ಕಾಲೇಜನ್ನು ಒಳಗೊಳ್ಳುವುದು ಮತ್ತು ಸರ್ಕಾರಿ/ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಮತ್ತು ಪಾಲಿಟೆಕ್ನಿಕ್ ಸಂಸ್ಥೆಗಳನ್ನು ಒಳಗೊಳ್ಳುವುದು;

(iii) "ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರ" ಎಂದರೆ ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಅಥವಾ ಅನುದಾನಿತ ಸಂಸ್ಥೆಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನಿಯಂತ್ರಿಸಲು ಆದೇಶಗಳನ್ನು ಮಾಡುವುದಕ್ಕೆ ಸಕ್ಷಮವಾದ ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಇತರ ಪ್ರಾಧಿಕಾರ;

(iv) "ಸರ್ಕಾರ" ಎಂದರೆ ಕರ್ನಾಟಕ ಸರ್ಕಾರ;

(v) "ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು" ಎಂದರೆ ವೃತ್ತಿಪರ, ತಾಂತ್ರಿಕ ಅಥವಾ ಅನ್ಯತಾ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಮೂಲಕ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಅಥವಾ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಸವಲತ್ತುಗಳಿಗೆ ಒಳಪಡುವ ಹಾಗೂ ಸಂಶೋಧನಾ ಅಧ್ಯಯನಗಳನ್ನು ಒಳಗೊಂಡ ಸಂಶೋಧನೆಗೆ ನೆರವಾಗುವ ಉನ್ನತ ಶಿಕ್ಷಣದ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆ ಅಥವಾ ವಿಶ್ವವಿದ್ಯಾಲಯಕ್ಕೆ ಸಂಯೋಜನೆಗೊಂಡ ಸಂಸ್ಥೆ, ಅನುದಾನಿತ ಸಂಸ್ಥೆಗಳು ಮತ್ತು ರಾಜ್ಯದಿಂದ ಅನುದಾನ ಪಡೆಯುವ ಸಂಸ್ಥೆಗಳು;

(vi) "ಐಸಿಎಆರ್" ಎಂದರೆ ಭಾರತೀಯ ಕೃಷಿ ಅನುಸಂಧಾನ ಪರಿಷತ್ತು;

(vii) "ವೇತನ" ಎಂದರೆ ಹುದ್ದೆಗೆ ಲಗತ್ತಾದ ಮೂಲ ವೇತನ ಮತ್ತು ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ ನಿಯಮಗಳ 8ನೇ ನಿಯಮದ (32)ನೇ ಖಂಡದಲ್ಲಿ ಹೇಳಲಾದ ಅದೇ ಅರ್ಥವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು ಆದರೆ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ

ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ಸಂಬಂಧಿತ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮಂಜೂರಾದ ನಿವೃತ್ತಿ ವೇತನೇತರ ಭತ್ಯೆ(ಎನ್‌ಪಿಎ) ಮತ್ತು ಇತರ ವಿಶೇಷ ಭತ್ಯೆಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದಲ್ಲ;

(viii) "ನಿವೃತ್ತಿ ವೇತನ" ಎಂದರೆ ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ ನಿಯಮಗಳ 8ನೇ ನಿಯಮದ (33)ನೇ ಖಂಡದಲ್ಲಿ ಅಥವಾ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಮೂಲಕ ಹೊರಡಿಸಿದ ನಿವೃತ್ತಿ ವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿರ್ವಹಿಸುವ ಸಂಬಂಧಿತ ನಿಯಮಗಳು ಅಥವಾ ಆದೇಶಗಳಲ್ಲಿ ಪರಿಭಾಷಿಸಿದ ನಿವೃತ್ತಿ ವೇತನ:

(ix) "ನಿಯಮಿಸಲಾದ" ಎಂದರೆ ಸರ್ಕಾರದ ಮೂಲಕ ಮಾಡಲಾದ ನಿಯಮಗಳ ಮೂಲಕ ನಿಯಮಿಸಲಾದುದು;

(x) "ಪ್ರಾಂಶುಪಾಲ" ಎಂದರೆ ಯಾವುದೇ ಹೆಸರಿನಿಂದ ಕರೆಯಲಾಗುವ ಕಾಲೇಜು ಅಥವಾ ಸಂಸ್ಥೆಯ ಮುಖ್ಯಸ್ಥ:

(xi) "ಶಿಕ್ಷಕ" ಎಂದರೆ ಪ್ರಾಧ್ಯಾಪಕ, ಸಹ ಪ್ರಾಧ್ಯಾಪಕ, ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕ, ಉಪನ್ಯಾಸಕ, ಗ್ರಂಥಪಾಲಕರು, ರೀಡರ್ ಅಥವಾ ದೈಹಿಕ ಶಿಕ್ಷಣ ಸಿಬ್ಬಂದಿ ಎಂಬ ಯಾವುದೇ ಹೆಸರಿನಿಂದ ಕರೆಯಲಾಗುವ ಬೋಧಕ ಹುದ್ದೆಗಳ ಯಾವುದೇ ವರ್ಗಕ್ಕೆ ನೇಮಿಸಿದ ವ್ಯಕ್ತಿ ಮತ್ತು ಅನುಕ್ರಮವಾಗಿ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಯ ಹುದ್ದೆಯನ್ನು ಹೊಂದಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಲ್ಲಿನ ಪ್ರಾಂಶುಪಾಲ, ಅಥವಾ ಸಂಸ್ಥೆಯ ಮುಖ್ಯಸ್ಥರನ್ನು ಸೇರಿಕೊಂಡ ಎಲ್ಲಾ ಸಿಬ್ಬಂದಿಯನ್ನು ಒಳಗೊಳ್ಳುವುದು;

(xii) "ಯುಜಿಸಿ" ಎಂದರೆ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅನುದಾನಗಳ ಆಯೋಗ ಅಧಿನಿಯಮ, 1956ರ (1956ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ 03) ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿಸಿದ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅನುದಾನಗಳ ಆಯೋಗ; ಮತ್ತು

(xiii) "ವಿಶ್ವವಿದ್ಯಾಲಯ" ಎಂದರೆ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪಿಸಿದ ವಿಶ್ವವಿದ್ಯಾಲಯ.

(2) ಈ ಅಧಿನಿಯಮದಲ್ಲಿ ಬಳಿಸಿದ ಆದರೆ ಇಲ್ಲಿ ಮೇಲೆ ಪರಿಭಾಷಿಸದೇ ಇರುವ ಪದಗಳು ಮತ್ತು ಪದಾವಳಿಗಳು ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ ನಿಯಮಗಳು ಮತ್ತು ಅನ್ವಯವಾಗುವ ನಿವೃತ್ತಿವೇತನ ನಿಯಮಗಳು ಅಥವಾ ಆದೇಶಗಳಲ್ಲಿ ಅವುಗಳಿಗೆ ಅನುಕ್ರಮವಾಗಿ ಹೇಳಲಾದ ಅಂಥ ಅರ್ಥವನ್ನೇ ಹೊಂದಿರತಕ್ಕದ್ದು.

3. ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳ ನಿಯಂತ್ರಣ.- (1) ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ನಿಯಮಗಳಿಗೆ ಒಳಪಟ್ಟು, ಶಿಕ್ಷಕನು ತಾನು ಕ್ರಮಬದ್ಧವಾಗಿ ನೇಮಕವಾದ ಹುದ್ದೆಗೆ ಲಗತ್ತಾದ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವನಾಗಿರತಕ್ಕದ್ದು.

(2) ಶಿಕ್ಷಕರ ವೇತನ ನಿಯಂತ್ರಣವನ್ನು ವಿನಿಯಮಿಸುತ್ತಿರುವ ಸೇವಾನಿಯಮಗಳ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಆದೇಶಗಳ ಅನುಸಾರವಾಗಿ ಹಾಗೆ ನಿಯಂತ್ರಿಸತಕ್ಕದ್ದು ಆದರೆ ಭಾರತ ಸರ್ಕಾರ ಅಥವಾ ಭಾರತದ ಸಂಸತ್ತಿನ ಅಧಿನಿಯಮವು ಸ್ಥಾಪಿಸಿದ ಯಾವುದೇ ಇತರ ಕೇಂದ್ರ ಸರ್ಕಾರಿ ಸಂಸ್ಥೆಯು ಹೊರಡಿಸಿದ ವಿನಿಯಮಗಳ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ನಿಯಂತ್ರಿಸತಕ್ಕದ್ದಲ್ಲ:

ಪರಂತು, ಯಾವೊಬ್ಬ ನಿವೃತ್ತ ಶಿಕ್ಷಕನು, ಕ್ರೋಢೀಕೃತ ವೇತನ ಅಥವಾ ಕರಾರಿನ ಒಪ್ಪಂದ ಇತ್ಯಾದಿಯ ಮೇರೆಗೆ ಮರು ನೇಮಕಾತಿ ಅಥವಾ ನೇಮಕಾತಿಯಾಗಿದ್ದಲ್ಲಿ, ಆತನ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳನ್ನು, ರಾಜ್ಯ ಸರ್ಕಾರದ ಅನ್ವಯವಾಗುವ ಸೇವಾ ನಿಯಮಗಳು ಅಥವಾ ಆದೇಶಗಳ ಮತ್ತು ಕರಾರಿನ ನೇಮಕಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಸಂಬಂಧಪಟ್ಟ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು/ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಪರಿನಿಯಮಗಳು ಅಥವಾ ನಿಯಮಗಳ ಉಪಬಂಧಗಳಿಗೆ ಅನುಸಾರವಾಗಿ ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಮೂಲಕವಾಗಿಯಾಗಲೀ ಮಾಡಿಕೊಂಡ ಯಾವುದೇ ಒಪ್ಪಂದದ ಅಡಿಯಲ್ಲಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು.

4. ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ನಿಯಂತ್ರಣ.- (1) ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ನಿಯಮಗಳಿಗೆ ಒಳಪಟ್ಟು, ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು, ಗರಿಷ್ಠ ಮಿತಿಗೆ ಒಳಪಟ್ಟು,

ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ, ಅವನ್ನು, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಕಾಲಕಾಲಕ್ಕೆ ಹೊರಡಿಸಿದ ಅನ್ವಯವಾಗುವ ನಿವೃತ್ತಿವೇತನ ನಿಯಮಗಳು ಮತ್ತು ಆದೇಶಗಳು, ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ, ಅದರೊಂದಿಗೆ ಓದಿಕೊಂಡಂತೆ ತ್ರಿಗುಣ ಪ್ರಯೋಜನ ಯೋಜನಾ ನಿಯಮಗಳ **(Triple benefit scheme rules)** ಉಪಬಂಧಗಳ ಅನುಸಾರವಾಗಿ ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ದಿನಾಂಕಕ್ಕೆ ನಿಕಟ ಪೂರ್ವದಲ್ಲಿ ಸೆಳೆದ ಕೊನೆಯ ವೇತನದ **(Last pay drawn)** ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು.

(2) ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಆದೇಶಗಳು ಅಥವಾ ನಿಯಮಗಳಲ್ಲಿ ವಿಧಿಸಲಾದ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಪೂರ್ವಾನ್ವಯವಾಗಿ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಗಳ ಪ್ರಯೋಜನವನ್ನು ವಿಸ್ತರಿಸುವ ಸದರಿ ನಿಯಮ ಅಥವಾ ಆದೇಶದ ಮೂಲಕವಾಗಿಯಾಗಲೀ ನಿವೃತ್ತ ಶಿಕ್ಷಕನ ವೇತನವು ಪೂರ್ವಾನ್ವಯವಾಗಿ ಪರಿಷ್ಕರಣೆಯಾದ ಹೊರತು ಒಮ್ಮೆ ನಿರ್ಧರಿತವಾದ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡತಕ್ಕದ್ದಲ್ಲ:

ಪರಂತು, ನಿವೃತ್ತ ಶಿಕ್ಷಕನು, 5ನೇ ಪ್ರಕರಣದ ಅನುಸಾರವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಪರಿಷ್ಕರಣೆಯನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವನಾಗಿರತಕ್ಕದ್ದು.

5. ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನ ಪರಿಷ್ಕರಣೆ.- (1) ಕಾಲಕಾಲಕ್ಕೆ ವೇತನ ಆಯೋಗ ಅಥವಾ ಸಮಿತಿಯ ಶಿಫಾರಸ್ಸಿಗೆ ಅನುಗುಣವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಪರಿಷ್ಕರಿಸಿದಾಗ ಮತ್ತು ಅದನ್ನು ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು ಅಳವಡಿಸಿಕೊಂಡಾಗಲೆಲ್ಲಾ ಶಿಕ್ಷಕನು, ಈಗಾಗಲೇ ಇತ್ಯರ್ಥವಾದ ನಿವೃತ್ತಿ ವೇತನ ಸಂವಾದಿಯಾಗಿ ಪರಿಷ್ಕರಣೆಗೆ ಹಕ್ಕುಳ್ಳವನಾಗಿರತಕ್ಕದ್ದು.

(2) ವೇತನ ಶ್ರೇಣಿಯ ಪರಿಷ್ಕರಣೆಯ ಮೇರೆಗೆ 4ನೇ ಪ್ರಕರಣದ (1)ನೇ ಪ್ರಕರಣದ ಅನ್ವಯ ಇತ್ಯರ್ಥವಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಪಡೆಯುವ ನಿವೃತ್ತ ಶಿಕ್ಷಕನು, ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಗಳ ಅನುಷ್ಠಾನದ ತರುವಾಯ ನಿವೃತ್ತನಾದ ಶಿಕ್ಷಕನಿಗೆ ಮಾತ್ರವೇ ವಿಸ್ತರಿಸಲಾದ ಹೊಸ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿ, ತಾನು ಸೆಳೆದ ಕೊನೆಯ ವೇತನದ ಪರಿಷ್ಕರಣಕ್ಕೆ ಹಕ್ಕುಳ್ಳವನಾಗತಕ್ಕದ್ದಲ್ಲ.

6. ವ್ಯವಹರಣೆಗಳ ಸಿಂಧುತ್ವ ಮತ್ತು ಕ್ಲೇಮುಗಳ ರದ್ದತಿ.- ಯಾವುದೇ ನ್ಯಾಯಾಲಯ, ನ್ಯಾಯಾಧಿಕರಣ ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ಯಾವುದೇ ತೀರ್ಪು, ಡಿಕ್ರಿ ಅಥವಾ ಆದೇಶದಲ್ಲಿ ಅಥವಾ ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಯಾವುದೇ ಕಾನೂನಿನಲ್ಲಿ ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ,-

(ಎ) ಈ ಅಧಿನಿಯಮದ ಪ್ರಾರಂಭಕ್ಕೆ ಮೊದಲು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಯ ಕುರಿತು ಶಿಕ್ಷಕರಿಗೆ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸುವ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಮಾಡಿದ ಅಥವಾ ಹೊರಡಿಸಿದ ಯಾವುದೇ ನಿಯಮ, ಆದೇಶ ಅಥವಾ ಅಧಿಸೂಚನೆಯ ಉಪಬಂಧಗಳೊಂದಿಗೆ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಮಾಡಿದ ಅಥವಾ ಕೈಗೊಂಡ ಕ್ರಮವು ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗದಿರುವಷ್ಟರ ಮಟ್ಟಿಗೆ ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಸಿಂಧುವಾಗಿ ಮಾಡಲಾಗಿದೆ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾಗಿದೆ ಎಂಬುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು; ಮತ್ತು

(ಬಿ) ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿ ಯಾವುದೇ ನ್ಯಾಯಾಲಯವು ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಗೆ ಮಂಜೂರು ಮಾಡಿದ ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಕುರಿತಾದ ಯಾವುದೇ ಪರಿಹಾರವು ರದ್ದುಗೊಳ್ಳತಕ್ಕದ್ದು ಹಾಗೂ ಹೊಸ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸಲು ವಯೋನಿವೃತ್ತಿ ಅಥವಾ ಮರಣದ

ಸಮಯದಲ್ಲಿ ಚಾಲ್ತಿಯಲ್ಲಿರುವ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿ ಕೊನೆಯದಾಗಿ ಸೆಳೆದ ವೇತನವನ್ನು ಪರಿಗಣಿಸಿ ಈಗಾಗಲೇ ಇತ್ಯರ್ಥಗೊಳಿಸಿದ ನಿವೃತ್ತಿ ವೇತನ ಪರಿಷ್ಕರಣೆಗಾಗಿ ಶಿಕ್ಷಕನು ಮಾಡಿದ ಯಾವುದೇ ಕ್ಲೇಮು ರದ್ದುಗೊಳ್ಳತಕ್ಕದ್ದು ಮತ್ತು ಅದಕ್ಕನುಸಾರವಾಗಿ,-

(i) ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿ ಹೊಸ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಯಾವುದೇ ಶಿಕ್ಷಕನ ನಿವೃತ್ತಿ ವೇತನ ಪರಿಷ್ಕರಣೆ ಕ್ಲೇಮಿಗೆ ಸರ್ಕಾರದ ವಿರುದ್ಧ ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ದಾವೆ ಅಥವಾ ಇತರೆ ವ್ಯವಹರಣೆಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದಲ್ಲ ಮತ್ತು ಮುಂದುವರೆಸತಕ್ಕದ್ದಲ್ಲ.

(ii) ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಶಿಕ್ಷಕನ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಪರಿಷ್ಕರಿಸುವಂತೆ ನಿರ್ದೇಶಿಸುವ ಯಾವುದೇ ಡಿಕ್ರಿ ಅಥವಾ ಆದೇಶವನ್ನು ನ್ಯಾಯಾಲಯವು ಜಾರಿಗೊಳಿಸತಕ್ಕದ್ದಲ್ಲ.

7. ಪುನರೀಕ್ಷಣೆ.- ರಾಜ್ಯ ಸರ್ಕಾರವು, ತಾನಾಗಿಯೇ ಆಗಲಿ ಅಥವಾ ಅರ್ಜಿಯ ಮೂಲಕವಾಗಿಯಾಗಲೀ, ವಾಸ್ತವಾಂಶದ ಅಥವಾ ಕಾನೂನಿನ ತಪ್ಪು ಅಥವಾ ಕಾನೂನಿನ ಅಜ್ಞಾನದ ಪ್ರಕರಣಗಳು ಸೇರಿದಂತೆ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ಸೇವಾ ನಿಯಮಗಳ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಪಡಿಸುವುದನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರವು ಪುನರೀಕ್ಷಿಸಿ ಕಾನೂನಿಗನುಸಾರವಾಗಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ಎರಡನ್ನೂ ಮರು ನಿಗದಿಪಡಿಸುವಂತೆ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ನಿರ್ದೇಶನ ನೀಡಬಹುದು. ಆದಾಗ್ಯೂ ನಿವೃತ್ತಿ ವೇತನದ ನಿಗದಿ ಪಡಿಸುವಿಕೆಯು ಐದು ವರ್ಷಗಳು ಅಥವಾ ಹೆಚ್ಚಿನ ಸಮಯದ ಹಿಂದಕ್ಕೆ ಸಂಬಂಧಿಸಿದ್ದಾದಲ್ಲಿ, ಅಥವಾ ಮರುವಸೂಲಾತಿಯು ನಿವೃತ್ತಿದಾರರಿಗೆ ಅನುಚಿತ ತೊಂದರೆಯನ್ನು ಉಂಟುಮಾಡುತ್ತದೆ ಎಂದು ರಾಜ್ಯ ಸರ್ಕಾರವು ಮನಗಂಡಲ್ಲಿ ಯಾವುದೇ ಹಿಂಬಾಕಿಗಳನ್ನು ವಸೂಲು ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

8. ಅಧಿಕಾರಗಳ ಪ್ರತ್ಯಾಯೋಜನೆ.- 13ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ನಿಯಮಗಳನ್ನು ರಚಿಸುವ ಅಧಿಕಾರವನ್ನು ಹೊರತುಪಡಿಸಿ, ರಾಜ್ಯ ಸರ್ಕಾರವು, ಈ ಅಧ್ಯಾದೇಶದ ಮೂಲಕ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ತನಗೆ ಪ್ರದತ್ತವಾದ ಎಲ್ಲಾ ಅಥವಾ ಯಾವುದೇ ಅಧಿಕಾರಗಳನ್ನು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಅಂಥ ಅಧಿಕಾರಿ ಅಥವಾ ಅದರ ಅಧೀನದಲ್ಲಿನ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಪ್ರತ್ಯಾಯೋಜಿಸಬಹುದು.

9. ನಿರ್ದೇಶನಗಳನ್ನು ನೀಡಲು ಸರ್ಕಾರದ ಅಧಿಕಾರಗಳು.- ಸರ್ಕಾರವು, ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣವನ್ನು ನಿರ್ವಹಿಸುವ ಸೇವಾ ನಿಯಮಗಳ ಅನ್ವಯಿಕ ಉಪಬಂಧಗಳೊಂದಿಗೆ ಓದಲಾದಂತೆ ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಒಳಪಟ್ಟು ಅದು ಅಗತ್ಯವೆಂದು ಭಾವಿಸುವ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿಯ ಕಾನೂನು ಸಮ್ಮತತೆಯನ್ನು ಖಚಿತಪಡಿಸಿಕೊಂಡ ತರುವಾಯ ಕಾಲಕಾಲಕ್ಕೆ ನಿರ್ದೇಶನಗಳನ್ನು ಹೊರಡಿಸಬಹುದು.

10. ಸದ್ಭಾವನೆಯಿಂದ ಕೈಗೊಂಡ ಕ್ರಮಕ್ಕೆ ರಕ್ಷಣೆ.- ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಸದ್ಭಾವನೆಯಿಂದ ಕೈಗೊಂಡ ಅಥವಾ ಕೈಗೊಳ್ಳಲು ಉದ್ದೇಶಿಸಿದ ಯಾವುದೇ ಕೃತ್ಯಕ್ಕಾಗಿ, ಯಾವೊಬ್ಬ ಸರ್ಕಾರದ ಅಧಿಕಾರಿಯ ವಿರುದ್ಧ ಯಾವುದೇ ದಾವೆ, ಅಧಿವಿಚಾರಣೆ ಅಥವಾ ಇತರೆ ಕಾನೂನು ವ್ಯವಹರಣೆಗಳನ್ನು ಹೂಡತಕ್ಕದ್ದಲ್ಲ.

11. ತೊಂದರೆಗಳ ನಿವಾರಣೆ.- (1) ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳನ್ನು ಜಾರಿಗೆ ತರುವಲ್ಲಿ, ಯಾವುದೇ ತೊಂದರೆ ಉದ್ಭವಿಸಿದರೆ, ರಾಜ್ಯ ಸರ್ಕಾರವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಿದ ಆದೇಶದ ಮೂಲಕ ಆ ತೊಂದರೆಯ ನಿವಾರಣೆಗಾಗಿ, ತಾನು ಅವಶ್ಯಕ ಮತ್ತು ಸಮಯೋಚಿತವೆಂದು ಕಂಡುಬರುವಂತೆ, ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಅಸಂಗತವಾಗದಂಥ ಉಪಬಂಧಗಳನ್ನು ರಚಿಸಬಹುದು:

ಪರಂತು, ಈ ಅಧಿನಿಯಮವು ಪ್ರಾರಂಭವಾದ ದಿನಾಂಕದಿಂದ ಎರಡು ವರ್ಷಗಳು ಮುಕ್ತಾಯವಾದ ಮೇಲೆ ಅಂಥ ಯಾವುದೇ ಆದೇಶವನ್ನು ಹೊರಡಿಸತಕ್ಕದ್ದಲ್ಲ.

(2) ಈ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಮಾಡಿದ ಪ್ರತಿಯೊಂದು ಆದೇಶವನ್ನು, ಅದನ್ನು ಮಾಡಿದ ತರುವಾಯ ಆದಷ್ಟು ಬೇಗನೆ ರಾಜ್ಯ ವಿಧಾನ ಮಂಡಲದ ಉಭಯ ಸದನಗಳ ಮುಂದೆ ಮಂಡಿಸತಕ್ಕದ್ದು

12. ಅಧ್ಯಾರೋಹಿ ಪರಿಣಾಮ.- ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಯಾವುದೇ ಇತರ ಕಾನೂನು ಅಥವಾ ಡಿಕ್ರಿ ಅಥವಾ ನ್ಯಾಯಾಲಯ ಅಥವಾ ಇತರ ಪ್ರಾಧಿಕಾರದ ಆದೇಶಗಳಲ್ಲಿ ಅಸಂಗತವಾದುದು ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳು ಪರಿಣಾಮವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

13. ನಿಯಮಗಳ ರಚನಾಧಿಕಾರ.- (1) ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಸರ್ಕಾರವು ಪೂರ್ವ ಪ್ರಕಟಣೆಯ ತರುವಾಯ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು.

(2) ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ಪ್ರತಿಯೊಂದು ನಿಯಮವನ್ನು, ಅದನ್ನು ರಚಿಸಿದ ಅಥವಾ ಹೊರಡಿಸಿದ ತರುವಾಯ, ಆದಷ್ಟು ಬೇಗನೆ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಪ್ರತಿಯೊಂದು ಸದನದ ಮುಂದೆ, ಅದು ಅಧಿವೇಶನದಲ್ಲಿರುವಾಗ, ಒಂದು ಅಧಿವೇಶನದಲ್ಲಿ ಅಥವಾ ಎರಡು ಅಥವಾ ಹೆಚ್ಚಿನ ನಿರಂತರ ಅಧಿವೇಶನಗಳಲ್ಲಿ ಅಡಕವಾಗಬಹುದಾದ ಒಟ್ಟು ಮೂವತ್ತು ದಿನಗಳ ಅವಧಿಯವರೆಗೆ ಮಂಡಿಸತಕ್ಕದ್ದು ಮತ್ತು ಮೇಲೆ ಹೇಳಿದ ಅಧಿವೇಶನಗಳ ಅಥವಾ ನಿರಂತರ ಅಧಿವೇಶನಗಳ ನಿಕಟ ತರುವಾಯದ ಅಧಿವೇಶನದ ಮುಕ್ತಾಯಕ್ಕೆ ಮುಂಚೆ, ಆ ನಿಯಮಕ್ಕೆ ಯಾವುದೇ ಮಾರ್ಪಾಟನ್ನು ಮಾಡಬೇಕೆಂದು ಎರಡೂ ಸದನಗಳೂ ಒಪ್ಪಿದರೆ ಅಥವಾ ಆ ನಿಯಮವನ್ನು ಮಾಡಕೂಡದೆಂದು ಎರಡೂ ಸದನಗಳೂ ಒಪ್ಪಿದರೆ ಆ ನಿಯಮದ ಆ ಮಾರ್ಪಾಟು ಅಥವಾ ರದ್ದತಿಯು ಅಧಿಸೂಚಿಸಿದ ದಿನಾಂಕದಿಂದ ಸಂದರ್ಭಾನುಸಾರ ಅಂಥ ಮಾರ್ಪಾಟು ರೂಪದಲ್ಲಿ ಮಾತ್ರ ಪರಿಣಾಮಕಾರಿಯಾಗಿರತಕ್ಕದ್ದು ಅಥವಾ ಯಾವುದೇ ಪರಿಣಾಮವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದಲ್ಲ; ಆದಾಗ್ಯೂ ಅಂಥ ಯಾವುದೇ ಮಾರ್ಪಾಟು ಅಥವಾ ರದ್ದತಿಯು, ಆ ನಿಯಮದ ಮೇರೆಗೆ ಹಿಂದೆ ಮಾಡಿದ ಯಾವುದೇ ಕೃತ್ಯದ ಮಾನ್ಯತೆಗೆ ಬಾಧಕವಾಗತಕ್ಕದ್ದಲ್ಲ.

14. ತಾತ್ಕಾಲಿಕ ಉಪಬಂಧಗಳು.- ಈ ಅಧಿನಿಯಮದ ಪ್ರಾರಂಭಕ್ಕೆ ಮೊದಲು ಶಿಕ್ಷಕನ ವೇತನ, ಭತ್ಯೆಗಳು ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನಿಯಂತ್ರಿಸುತ್ತಿರುವ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಹೊರಡಿಸಿದ ಯಾವುದೇ ನಿಯಮ, ಆದೇಶ ಅಥವಾ ಅಧಿಸೂಚನೆಯನ್ನು ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿರದಷ್ಟರಮಟ್ಟಿಗೆ ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಹೊರಡಿಸಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮಾಡಲಾದ ನಿಯಮಗಳ ಮೂಲಕ ಅವುಗಳನ್ನು ಮಾರ್ಪಡಿಸುವವರೆಗೆ ಅಥವಾ ರದ್ದುಪಡಿಸುವವರೆಗೆ ಅವುಗಳು ಮುಂದುವರಿಯತಕ್ಕದ್ದು.

15. ನಿರಸನ ಮತ್ತು ಉಳಿಸುವಿಕೆಗಳು.- (1) ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧ್ಯಾದೇಶ, 2020ನ್ನು (2020ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ ಸಂಖ್ಯೆ 1) ಈ ಮೂಲಕ ನಿರಸನಗೊಳಿಸಿದೆ.

(2) ಹಾಗೆ ನಿರಸನಗೊಳಿಸಿದ್ದಾಗ್ಯೂ, ಸದರಿ ಅಧ್ಯಾದೇಶದ ಮೂಲಕ ಮಾಡಲಾದ ಯಾವುದೇ ಕಾರ್ಯ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾದ ಯಾವುದೇ ಕ್ರಮವನ್ನು ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಮಾಡಲಾಗಿದೆ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪನೆಯಾದ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಂತ್ರಣದಡಿಯಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಅನುದಾನಿತ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ಒಂದು ವಿಧೇಯಕ.

ಭಾರತ ಸಂವಿಧಾನದ 309ನೇ ಅನುಚ್ಛೇದದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮತ್ತು ಭಾರತ ಸಂವಿಧಾನದ ಏಳನೇ ಅನುಸೂಚಿಯ IIನೇ ಪಟ್ಟಿಯ 14, 32 ಮತ್ತು 41ನೇ ನಮೂದುಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೂ IIIನೇ ಪಟ್ಟಿಯ 25ನೇ ನಮೂದಿನ ಅಡಿಯಲ್ಲಿ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲವು ಸಾರ್ವಜನಿಕ ಸೇವೆಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಮಾಧ್ಯಮಗಳೊಂದಿಗೆ ಸಂಬಂಧಿಸಿದ ಹುದ್ದೆಗಳಿಗೆ ನೇಮಕವಾದ ವ್ಯಕ್ತಿಗಳ ಸೇವಾಷರತ್ತುಗಳನ್ನು ಕಾನೂನಿನ ಮೂಲಕ ನಿಯಂತ್ರಿಸಬಹುದಾಗಿರುವುದರಿಂದ;

ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಅಥವಾ ಸಂಸ್ಥೆಗಳ ಮೂಲಕ ನಿಯೋಜಿತರಾದ ಯುಜಿಸಿ/ಎಐಸಿಟಿಇ/ಐಸಿಎಆರ್ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳನ್ನು ಪಡೆಯುತ್ತಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಹುದ್ದೆಯೊಂದರಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ನೇಮಕವಾದ ಶಿಕ್ಷಕರೊಬ್ಬರು ಆ ಹುದ್ದೆಯ ಪೂರ್ವಭಾವ್ಯ ವೇತನವನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವರಾಗಿರುತ್ತಾರೆ ಮತ್ತು ಅಂಥ ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ಸಮಯದಲ್ಲಿ ನಿವೃತ್ತಿವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಅನ್ವಯವಾಗುವ ನಿಯಮಗಳು/ ಆದೇಶಗಳಿಗನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ನಿವೃತ್ತ ಶಿಕ್ಷಕರು ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದ ಉಳಿದ ಸರ್ಕಾರಿ ನಿವೃತ್ತಿದಾರರಿಗೆ ತತ್ಸಮಾನರಾಗಿರುತ್ತಾರೆ. ಮುಂದುವರೆದು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ವಹಿಸಿ ಅನುದಾನ ನೀಡುತ್ತಿರುವ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರು ಮತ್ತು ತತ್ಸಮಾನ ವೃಂದದ ಸಿಬ್ಬಂದಿಯ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಮಗಳ ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು ಎನ್ನುವುದು ಕೂಡಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಸ್ಥಾಪಿತ ನೀತಿಯಾಗಿರುತ್ತದೆ. ನಿವೃತ್ತಿ ವೇತನದ ಸಂಬಂಧದಲ್ಲಿ cut-off ದಿನಾಂಕವನ್ನು ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಬಹುದೊಡ್ಡ ಹಣಕಾಸಿನ ತೊಡಕುಗಳು ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಹಣಕಾಸಿನ ನೆರವು, ಮುಂತಾದವುಗಳು ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ ಅಂಥ ಇತರ ಸಂಬಂಧಪಟ್ಟ ಅಂಶಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡು ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಪೂರ್ವಭಾವಿ ನೀತಿಯ ವಿಷಯದಂತೆ, ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ cut-off ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು ನಿವೃತ್ತರಾದ ನಿವೃತ್ತ ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿರ್ಧಾರದ ಅನುಸಾರವಾಗಿ ಸಂವಾದಿ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯು ಜಾರಿಯಾದಾಗಲೆಲ್ಲಾ, ಮತ್ತಷ್ಟು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡಬೇಕಾಗಿರುವುದರಿಂದ;

ಉನ್ನತ ಶಿಕ್ಷಣದ ಸಂಬಂಧದಲ್ಲಿ ಶೈಕ್ಷಣಿಕ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲಹಾ ಸಮಿತಿಯಾಗಿರುವುದು ಮತ್ತು ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಶಿಕ್ಷಕರ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನದ ಪರಿಷ್ಕರಣೆಯ ಕುರಿತು ಶಿಫಾರಸ್ಸು ಮಾಡಲು ಅಥವಾ ಸಲಹೆ ನೀಡಲು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, 2010ರ (2010ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 26) ಅಡಿಯಲ್ಲಿ ಸದರಿ ಪರಿಷತ್ತಿಗೆ ಯಾವುದೇ ಅಧಿಕಾರವನ್ನು ನೀಡಲಾಗಿರುವುದಿಲ್ಲ. ಪರಿಷತ್ತಿನ ಯಾವುದೇ ಸೂಚನೆ ಅಥವಾ ಸಲಹೆಯು ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೇಲೆ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲವಾದ್ದರಿಂದ;

ಸರ್ಕಾರವು ದಿನಾಂಕ:24.07.2015ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ, 01-01-2006ಕ್ಕೂ ಮೊದಲಿನ ನಿವೃತ್ತಿದಾರರಿಗೆ 2006ರ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತಿನ ಶಿಫಾರಸ್ಸನ್ನು

ತಿರಸ್ಕರಿಸಿದೆ. ರಿಟ್ ಪಿಟಿಷನ್ ಸಂಖ್ಯೆ:775-787/2015 (ಎಸ್-ಆರ್) ಮೂಲಕ ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಛ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸಲಾಗಿದ್ದು ಸದರಿ ರಿಟ್ ಪಿಟಿಷನ್ ಅನ್ನು ಪುರಸ್ಕರಿಸಿ, ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಛ ನ್ಯಾಯಾಲಯವು ಈ ರೀತಿ ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿರುವುದರಿಂದ, ಎಂದರೆ:-

> **"The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words "permissible in law" in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14."**

ಬಿ.ಜೆ.ಅಕ್ಕರ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಭಾರತ ಸರ್ಕಾರ ಮತ್ತು ಇತರರು [(2006) 11 ಎಸ್‌ಸಿಸಿ 709] ಈ ವಿಷಯದಲ್ಲಿ ಭಾರತದ ಮಾನ್ಯ ಸರ್ವೋಚ್ಛ ನ್ಯಾಯಾಲಯವು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿಯ ಕೆಲವು ಸುನಿಶ್ಚಿತವಾದ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿದ್ದು, ಅದಕ್ಕನುಸಾರವಾಗಿ, ನಿರ್ದಿಷ್ಟ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾಗುವ ಎಲ್ಲಾ ನಿವೃತ್ತಿದಾರರು ಎಲ್ಲಾ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಏಕ ವರ್ಗವಾಗಿ ರೂಪುಗೊಳ್ಳುವುದಿಲ್ಲ. ವೇತನದ ವ್ಯತ್ಯಾಸದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ವಿವಿಧ ವೇತನ ಶ್ರೇಣಿಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ನಿವೃತ್ತಿಯ ಸಮಯದಲ್ಲಿ ಸರಾಸರಿ ಲೆಕ್ಕಹಾಕಬಹುದಾದ ಉಪದಾನಗಳು ಇದ್ದಲ್ಲಿ ಒಂದೇ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾದ ನಿವೃತ್ತಿದಾರರಿಗೆ ಒಂದೇ ತೆರನಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನೀಡಬೇಕಾಗಿಲ್ಲ. ಮೇಲಿನ ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಕ್ಸ್ ನ್ಯಾಯಲಯವು ವಿವರಿಸಿದ ತತ್ವಗಳೂ ಕೂಡಾ ರಾಜ್ಯ ನೀತಿಯ ಅನುಸಾರವಾಗಿರುವುದರಿಂದ;

ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಬಿಹಾರ ರಾಜ್ಯ ಮತ್ತು ಇತರರು ಇದರಲ್ಲಿ (2013) 8ಎಸ್‌ಸಿಸಿ 633ರಲ್ಲಿ ವರದಿಯಾದಂತೆ, ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ರಾಜ್ಯದ ಮೇಲೆ ಸ್ವಯಂಚಾಲಿತವಾಗಿ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲ. ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ಶಾಸನಬದ್ಧ ಬಲವಿದ್ದಾಗ್ಯೂ ಅಂಥ ನಿಯಮಗಳು ರಾಜ್ಯದ ಸಮಗ್ರ ಅಧಿಕಾರವನ್ನು ಮೊಟಕುಗೊಳಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವಾದ್ದರಿಂದ ಪ್ರಸ್ತುತ ವಾಸ್ತವತೆಯಲ್ಲಿ ಸನ್ನಿವೇಶವು ರಾಜ್ಯ ನೀತಿಯ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ಬರುವುದರಿಂದ ಮತ್ತು ಜಗದೀಶ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಅನುಸರಿಸುವಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾಗಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಪರಿಷ್ಕೃತ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ವಿಸ್ತರಿಸಲಾಗುವುದಿಲ್ಲ ಎಂಬುದು ರಾಜ್ಯದ ನೀತಿ ನಿರ್ಣಯವಾಗಿರುವುದರಿಂದ;

ಕೇಂದ್ರ ಸರ್ಕಾರವು ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು ಮತ್ತು ಕಾಲೇಜುಗಳ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿರುವ ಶಿಕ್ಷಕರಿಗೆ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ ಉದ್ದೇಶಿಸಿರುವಂತೆ ನಿವೃತ್ತಿ ವೇತನ ಸ್ವರೂಪದ ಪರಿಷ್ಕರಣೆಯ ಪ್ರಯೋಜನವನ್ನು ನೀಡುವುದು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಡ್ಡಾಯವಾಗಿರುವುದಿಲ್ಲ ಎಂಬುದಾಗಿ ಸೂಚಿಸಿರುತ್ತದೆ ಹಾಗೂ ಅಂತೆಯೇ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ನಿಹಿತವಾಗಿರುವ ವಿವೇಚನಾ ಅಧಿಕಾರಗಳ ಅನುಸಾರವಾಗಿ ಭಾರತ ಸರ್ಕಾರದ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಂತೆ ಪ್ರಯೋಜನಗಳನ್ನು ನೀಡಲಾಗುವುದಿಲ್ಲವೆಂದು ತೀರ್ಮಾನಿಸಲಾಗಿರುವುದರಿಂದ;

ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಎಸ್.ಠಾಕೂರ್ [(2009)(1) ಎನ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 329] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಭಾರತ ಸರ್ವೋಚ್ಛ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ "ಸ್ವೀಕಾರಾರ್ಹ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯ ಮೇಲೆ ತೀರ್ಮಾನಿಸುವುದು ಕಾರ್ಯಾಂಗದ ಪ್ರಕಾರ್ಯವಾಗಿದೆ ಹಾಗೂ ಅಂಥ ಆಡಳಿತಾತ್ಮಕ ತೀರ್ಮಾನದ ನ್ಯಾಯಿಕ ಪುನರಾವಲೋಕನದ ವ್ಯಾಪ್ತಿಯು ಸೀಮಿತವಾಗಿದೆ". ಮುಂದುವರೆದು, ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಮಾಣಿಕ್ ಲಾಲ್ ಬ್ಯಾನರ್ಜಿ [2006 ಎಸ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 1959] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ ವೇತನಶ್ರೇಣಿಯನ್ನು ಪರಿಷ್ಕರಿಸುವಾಗ ಹಣಕಾಸು ತೊಡಕಿನ ಆಧಾರದ ಮೇಲೆ cut-off ದಿನಾಂಕವನ್ನು ನಿಗದಿಪಡಿಸುವುದು ಪ್ರಮುಖ ಅಂಶವಾಗಿರುವುದರಿಂದ;

ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ನಿರ್ಧರಣೆಯು ರಾಜ್ಯದ ನೀತಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ರಚಿಸಿದ ನಿಯಮಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಹೆಚ್ಚಿಸಿ ಮಂಜೂರು ಮಾಡುವ ಯಾವುದೇ ತಿರ್ಮಾನವು ರಾಜ್ಯ ಸರ್ಕಾರದ ನೀತಿಯಲ್ಲಿ ಇರುವುದಿಲ್ಲ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ದಿನಾಂಕದಂದು ಸೇವೆಯು ಕೊನೆಗೊಳ್ಳಬೇಕಾದ ಶಿಕ್ಷಕರು ಅವರದೇ ಆದ ಪ್ರತ್ಯೇಕ ವರ್ಗವನ್ನು ರಚಿಸಿಕೊಳ್ಳುವರು. ತರುವಾಯದಲ್ಲಿ ವೇತನ ಪರಿಷ್ಕರಿಸಲಾದ ಶಿಕ್ಷಕರೊಂದಿಗೆ ಅವರನ್ನು ಸಮೀಕರಿಸಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಮುಂದುವರೆದು, ಇದು ದೊಡ್ಡ ಮೊತ್ತಗಳ ಹಣ ಪಾವತಿಯನ್ನು ಒಳಗೊಂಡಿರುವುದು ಹಾಗೂ ರಾಜ್ಯ ಬೊಕ್ಕಸಕ್ಕೆ ಹೆಚ್ಚಿನ ಹಣಕಾಸು ಹೊರೆಯನ್ನು ಉಂಟುಮಾಡುವುದರಿಂದ;

ಮತ್ತು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಹಾಗೂ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಗೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ಶಿಕ್ಷಕರಿಗೆ ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಸೌಲಭ್ಯಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವಲ್ಲಿನ ಗೊಂದಲವನ್ನು ಬಗೆಹರಿಸುವುದು ಯುಕ್ತವಾಗಿರವುದರಿಂದ ಮತ್ತು ಅಗತ್ಯವಾಗಿರುವುದರಿಂದ;

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಉಭಯ ಸದನಗಳು ಅಧಿವೇಶನದಲ್ಲಿ ಇಲ್ಲದಿದ್ದುದರಿಂದ ಮೇಲಿನ ಧ್ಯೇಯೋದ್ದೇಶವನ್ನು ಸಾಧಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧ್ಯಾದೇಶ, 2020ನ್ನು (2020ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ ಸಂಖ್ಯೆ 1) ಪ್ರಖ್ಯಾಪಿಸಲಾಯಿತು.

ಸದರಿ ಅಧ್ಯಾದೇಶಕ್ಕೆ ಬದಲಾಗಿ ಈ ವಿಧೇಯಕವನ್ನು ಮಂಡಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆಯ ಕಾರ್ಯವಿಧಾನ ಮತ್ತು ನಡವಳಿಕೆಗಳ 80ನೇ ನಿಯಮದ (1)ನೇ ಉಪನಿಯಮದ ಮೂಲಕ ಅಗತ್ಯಪಡಿಸಲಾದಂತೆ ವಿವರಣಾತ್ಮಕ ಹೇಳಿಕೆ

ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪನೆಯಾದ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಂತ್ರಣದಡಿಯಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಅನುದಾನಿತ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ಒಂದು ವಿಧೇಯಕ.

ಭಾರತ ಸಂವಿಧಾನದ 309ನೇ ಅನುಚ್ಛೇದದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮತ್ತು ಭಾರತ ಸಂವಿಧಾನದ ಏಳನೇ ಅನುಸೂಚಿಯ IIನೇ ಪಟ್ಟಿಯ 14, 32 ಮತ್ತು 41ನೇ ನಮೂದುಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೂ IIIನೇ ಪಟ್ಟಿಯ 25ನೇ ನಮೂದಿನ ಅಡಿಯಲ್ಲಿ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲವು ಸಾರ್ವಜನಿಕ ಸೇವೆಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಮಾಧ್ಯಮಗಳೊಂದಿಗೆ ಸಂಬಂಧಿಸಿದ ಹುದ್ದೆಗಳಿಗೆ ನೇಮಕವಾದ ವ್ಯಕ್ತಿಗಳ ಸೇವಾಷರತ್ತುಗಳನ್ನು ಕಾನೂನಿನ ಮೂಲಕ ನಿಯಂತ್ರಿಸಬಹುದಾಗಿರುವುದರಿಂದ;

ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಅಥವಾ ಸಂಸ್ಥೆಗಳ ಮೂಲಕ ನಿಯೋಜಿತರಾದ ಯುಜಿಸಿ/ಎಐಸಿಟಿಇ/ಐಸಿಎಆರ್ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳನ್ನು ಪಡೆಯುತ್ತಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಹುದ್ದೆಯೊಂದರಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ನೇಮಕವಾದ ಶಿಕ್ಷಕರೊಬ್ಬರು ಆ ಹುದ್ದೆಯ ಪೂರ್ವಭಾವ್ಯ ವೇತನವನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವರಾಗಿರುತ್ತಾರೆ ಮತ್ತು ಅಂಥ ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ಸಮಯದಲ್ಲಿ ನಿವೃತ್ತಿವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಅನ್ವಯವಾಗುವ ನಿಯಮಗಳು/ ಆದೇಶಗಳಿಗನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ನಿವೃತ್ತ ಶಿಕ್ಷಕರು ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದ ಉಳಿದ ಸರ್ಕಾರಿ ನಿವೃತ್ತಿದಾರರಿಗೆ ತತ್ಸಮಾನರಾಗಿರುತ್ತಾರೆ. ಮುಂದುವರೆದು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ವಹಿಸಿ ಅನುದಾನ ನೀಡುತ್ತಿರುವ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರು ಮತ್ತು ತತ್ಸಮಾನ ವೃಂದದ ಸಿಬ್ಬಂದಿಯ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಮಗಳ ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು ಎನ್ನುವುದು ಕೂಡಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಸ್ಥಾಪಿತ ನೀತಿಯಾಗಿರುತ್ತದೆ. ನಿವೃತ್ತಿ ವೇತನದ ಸಂಬಂಧದಲ್ಲಿ cut-off ದಿನಾಂಕವನ್ನು ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಬಹುದೊಡ್ಡ ಹಣಕಾಸಿನ ತೊಡಕುಗಳು ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಹಣಕಾಸಿನ ನೆರವು, ಮುಂತಾದವುಗಳು ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ ಅಂಥ ಇತರ ಸಂಬಂಧಪಟ್ಟ ಅಂಶಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡು ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಪೂರ್ವಭಾವಿ ನೀತಿಯ ವಿಷಯದಂತೆ, ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ cut-off ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು ನಿವೃತ್ತರಾದ ನಿವೃತ್ತ ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿರ್ಧಾರದ ಅನುಸಾರವಾಗಿ ಸಂವಾದಿ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯು ಜಾರಿಯಾದಾಗಲೆಲ್ಲಾ, ಮತ್ತಷ್ಟು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡಬೇಕಾಗಿರುವುದರಿಂದ;

ಉನ್ನತ ಶಿಕ್ಷಣದ ಸಂಬಂಧದಲ್ಲಿ ಶೈಕ್ಷಣಿಕ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲಹಾ ಸಮಿತಿಯಾಗಿರುವುದು ಮತ್ತು ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಶಿಕ್ಷಕರ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನದ ಪರಿಷ್ಕರಣೆಯ ಕುರಿತು ಶಿಫಾರಸ್ಸು ಮಾಡಲು ಅಥವಾ ಸಲಹೆ ನೀಡಲು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ

ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, 2010ರ (2010ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 26) ಅಡಿಯಲ್ಲಿ ಸದರಿ ಪರಿಷತ್ತಿಗೆ ಯಾವುದೇ ಅಧಿಕಾರವನ್ನು ನೀಡಲಾಗಿರುವುದಿಲ್ಲ. ಪರಿಷತ್ತಿನ ಯಾವುದೇ ಸೂಚನೆ ಅಥವಾ ಸಲಹೆಯು ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೇಲೆ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲವಾದ್ದರಿಂದ;

ಸರ್ಕಾರವು ದಿನಾಂಕ:24.07.2015ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ, 01-01-2006ಕ್ಕೂ ಮೊದಲಿನ ನಿವೃತ್ತಿದಾರರಿಗೆ 2006ರ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತಿನ ಶಿಫಾರಸ್ಸನ್ನು ತಿರಸ್ಕರಿಸಿದೆ. ರಿಟ್ ಪಿಟಿಷನ್ ಸಂಖ್ಯೆ:775-787/2015 (ಎಸ್-ಆರ್) ಮೂಲಕ ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಛ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸಲಾಗಿದ್ದು ಸದರಿ ರಿಟ್ ಪಿಟಿಷನ್ ಅನ್ನು ಪುರಸ್ಕರಿಸಿ, ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಛ ನ್ಯಾಯಾಲಯವು ಈ ರೀತಿ ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿರುವುದರಿಂದ, ಎಂದರೆ:-

> **"The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words "permissible in law" in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14."**

ಬಿ.ಜೆ.ಅಕ್ಕರ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಭಾರತ ಸರ್ಕಾರ ಮತ್ತು ಇತರರು [(2006) 11 ಎಸ್‌ಸಿಸಿ 709] ಈ ವಿಷಯದಲ್ಲಿ ಭಾರತದ ಮಾನ್ಯ ಸರ್ವೋಚ್ಛ ನ್ಯಾಯಾಲಯವು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿಯ ಕೆಲವು ಸುನಿಶ್ಚಿತವಾದ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿದ್ದು, ಅದಕ್ಕನುಸಾರವಾಗಿ, ನಿರ್ದಿಷ್ಟ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾಗುವ ಎಲ್ಲಾ ನಿವೃತ್ತಿದಾರರು ಎಲ್ಲಾ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಏಕ ವರ್ಗವಾಗಿ ರೂಪುಗೊಳ್ಳುವುದಿಲ್ಲ. ವೇತನದ ವ್ಯತ್ಯಾಸದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ವಿವಿಧ ವೇತನ ಶ್ರೇಣಿಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ನಿವೃತ್ತಿಯ ಸಮಯದಲ್ಲಿ ಸರಾಸರಿ ಲೆಕ್ಕಹಾಕಬಹುದಾದ ಉಪದಾನಗಳು ಇದ್ದಲ್ಲಿ ಒಂದೇ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾದ ನಿವೃತ್ತಿದಾರರಿಗೆ ಒಂದೇ ತೆರನಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನೀಡಬೇಕಾಗಿಲ್ಲ. ಮೇಲಿನ ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಕ್ಸ್ ನ್ಯಾಯಲಯವು ವಿವರಿಸಿದ ತತ್ವಗಳೂ ಕೂಡಾ ರಾಜ್ಯ ನೀತಿಯ ಅನುಸಾರವಾಗಿರುವುದರಿಂದ;

ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಮತ್ತು ಇತರರು ವಿರುದ್ದ ಬಿಹಾರ ರಾಜ್ಯ ಮತ್ತು ಇತರರು ಇದರಲ್ಲಿ (2013) 8ಎಸ್‌ಸಿಸಿ 633ರಲ್ಲಿ ವರದಿಯಾದಂತೆ, ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ರಾಜ್ಯದ ಮೇಲೆ ಸ್ವಯಂಚಾಲಿತವಾಗಿ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲ. ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ಶಾಸನಬದ್ದ ಬಲವಿದ್ದಾಗ್ಯೂ ಅಂಥ ನಿಯಮಗಳು ರಾಜ್ಯದ ಸಮಗ್ರ

ಅಧಿಕಾರವನ್ನು ಮೊಟಕುಗೊಳಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವಾದ್ದರಿಂದ ಪ್ರಸ್ತುತ ವಾಸ್ತವತೆಯಲ್ಲಿ ಸನ್ನಿವೇಶವು ರಾಜ್ಯ ನೀತಿಯ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ಬರುವುದರಿಂದ ಮತ್ತು ಜಗದೀಶ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಅನುಸರಿಸುವಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾಗಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಪರಿಷ್ಕೃತ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ವಿಸ್ತರಿಸಲಾಗುವುದಿಲ್ಲ ಎಂಬುದು ರಾಜ್ಯದ ನೀತಿ ನಿರ್ಣಯವಾಗಿರುವುದರಿಂದ;

ಕೇಂದ್ರ ಸರ್ಕಾರವು ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು ಮತ್ತು ಕಾಲೇಜುಗಳ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿರುವ ಶಿಕ್ಷಕರಿಗೆ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ ಉದ್ದೇಶಿಸಿರುವಂತೆ ನಿವೃತ್ತಿ ವೇತನ ಸ್ವರೂಪದ ಪರಿಷ್ಕರಣೆಯ ಪ್ರಯೋಜನವನ್ನು ನೀಡುವುದು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಡ್ಡಾಯವಾಗಿರುವುದಿಲ್ಲ ಎಂಬುದಾಗಿ ಸೂಚಿಸಿರುತ್ತದೆ ಹಾಗೂ ಅಂತೆಯೇ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ನಿಹಿತವಾಗಿರುವ ವಿವೇಚನಾ ಅಧಿಕಾರಗಳ ಅನುಸಾರವಾಗಿ ಭಾರತ ಸರ್ಕಾರದ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಂತೆ ಪ್ರಯೋಜನಗಳನ್ನು ನೀಡಲಾಗುವುದಿಲ್ಲವೆಂದು ತೀರ್ಮಾನಿಸಲಾಗಿರುವುದರಿಂದ;

ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಎಸ್.ಠಾಕೂರ್ [(2009)(1) ಎನ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 329] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಭಾರತ ಸರ್ವೋಚ್ಛ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ “ಸ್ವೀಕಾರಾರ್ಹ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯ ಮೇಲೆ ತೀರ್ಮಾನಿಸುವುದು ಕಾರ್ಯಾಂಗದ ಪ್ರಕಾರ್ಯವಾಗಿದೆ ಹಾಗೂ ಅಂಥ ಆಡಳಿತಾತ್ಮಕ ತೀರ್ಮಾನದ ನ್ಯಾಯಿಕ ಪುನರಾವಲೋಕನದ ವ್ಯಾಪ್ತಿಯು ಸೀಮಿತವಾಗಿದೆ”. ಮುಂದುವರೆದು, ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಮಾಣಿಕ್ ಲಾಲ್ ಬ್ಯಾನರ್ಜಿ [2006 ಎಸ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 1959] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ ವೇತನಶ್ರೇಣಿಯನ್ನು ಪರಿಷ್ಕರಿಸುವಾಗ ಹಣಕಾಸು ತೊಡಕಿನ ಆಧಾರದ ಮೇಲೆ cut-off ದಿನಾಂಕವನ್ನು ನಿಗದಿಪಡಿಸುವುದು ಪ್ರಮುಖ ಅಂಶವಾಗಿರುವುದರಿಂದ;

ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ನಿರ್ಧರಣೆಯು ರಾಜ್ಯದ ನೀತಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ರಚಿಸಿದ ನಿಯಮಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಹೆಚ್ಚಿಸಿ ಮಂಜೂರು ಮಾಡುವ ಯಾವುದೇ ತಿರ್ಮಾನವು ರಾಜ್ಯ ಸರ್ಕಾರದ ನೀತಿಯಲ್ಲಿ ಇರುವುದಿಲ್ಲ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ದಿನಾಂಕದಂದು ಸೇವೆಯು ಕೊನೆಗೊಳ್ಳಬೇಕಾದ ಶಿಕ್ಷಕರು ಅವರದೇ ಆದ ಪ್ರತ್ಯೇಕ ವರ್ಗವನ್ನು ರಚಿಸಿಕೊಳ್ಳುವರು. ತರುವಾಯದಲ್ಲಿ ವೇತನ ಪರಿಷ್ಕರಿಸಲಾದ ಶಿಕ್ಷಕರೊಂದಿಗೆ ಅವರನ್ನು ಸಮೀಕರಿಸಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಮುಂದುವರೆದು, ಇದು ದೊಡ್ಡ ಮೊತ್ತಗಳ ಹಣ ಪಾವತಿಯನ್ನು ಒಳಗೊಂಡಿರುವುದು ಹಾಗೂ ರಾಜ್ಯ ಬೊಕ್ಕಸಕ್ಕೆ ಹೆಚ್ಚಿನ ಹಣಕಾಸು ಹೊರೆಯನ್ನು ಉಂಟುಮಾಡುವುದರಿಂದ;

ಮತ್ತು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಹಾಗೂ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಗೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ಶಿಕ್ಷಕರಿಗೆ ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಸೌಲಭ್ಯಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವಲ್ಲಿನ ಗೊಂದಲವನ್ನು ಬಗೆಹರಿಸುವುದು ಯುಕ್ತವಾಗಿರವುದರಿಂದ ಮತ್ತು ಅಗತ್ಯವಾಗಿರುವುದರಿಂದ;

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಉಭಯ ಸದನಗಳು ಅಧಿವೇಶನದಲ್ಲಿ ಇಲ್ಲದಿದ್ದುದರಿಂದ ಮೇಲಿನ ಧ್ಯೇಯೋದ್ದೇಶವನ್ನು ಸಾಧಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧ್ಯಾದೇಶ, 2020ನ್ನು (2020ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ ಸಂಖ್ಯೆ 1) ಪ್ರಖ್ಯಾಪಿಸಲಾಯಿತು.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ಆರ್ಥಿಕ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 3:	(1)ನೇ ಉಪಖಂಡವು, ಶಿಕ್ಷಕನು ತಾನು ಕ್ರಮಬದ್ಧವಾಗಿ ನೇಮಕವಾದ ಹುದ್ದೆಗೆ ಲಗತ್ತಾದ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳನ್ನು ಪಡೆಯುವ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 4:	(1)ನೇ ಉಪಖಂಡವು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ದಿನಾಂಕಕ್ಕೆ ನಿಕಟ ಪೂರ್ವದಲ್ಲಿ ಸೆಳೆದ ಕೊನೆಯ ವೇತನದ (Last pay drawn) ಅನುಸಾರವಾಗಿ ಗರಿಷ್ಠ ಮಿತಿಗೆ ಒಳಪಟ್ಟು, ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 13:	(1)ನೇ ಉಪಖಂಡವು, ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಪೂರ್ವ ಪ್ರಕಟಣೆಯ ತರುವಾಯ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.

ಪ್ರಸ್ತಾವಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದ್ದಾಗಿದೆ.

ಡಾ.ಅಶ್ವಥ್ ನಾರಾಯಣ್ ಸಿ.ಎನ್,
ಉಪ ಮುಖ್ಯಮಂತ್ರಿ ಮತ್ತು ಉನ್ನತ ಶಿಕ್ಷಣ, ಮಾಹಿತಿ ತಂತ್ರಜ್ಞಾನ
ಮತ್ತು ಜೈವಿಕ ತಂತ್ರಜ್ಞಾನ, ವಿಜ್ಞಾನ ಮತ್ತು ತಂತ್ರಜ್ಞಾನ, ಕೌಶಲ್ಯ
ಅಭಿವೃದ್ಧಿ, ಉದ್ಯಮಶೀಲತೆ ಮತ್ತು ಜೀವನೋಪಾಯ ಮಂತ್ರಿ.

JA.P. «±Á¯ÁQë
PÁAiÀðzÀ²ð (¥)
P£ÁðlP «zÁ£À ¸À¨Á

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA REGULATION OF PAY AND PENSION OF TEACHER IN HIGHER EDUCATIONAL INSTITUTIONS BILL, 2020

(LA Bill No. 10 of 2020)

ABill to regulate pay, pension and pensionary benefits admissible to the teacher working in Government Colleges, Universities established by law and in Government aided Higher Educational Institutions under the control of the State Government.

Whereas under the provisions of Article 309 of the Constitution of India and under Entries 14, 32 and 41of List II and under Entry 25 of List III of the Seventh Schedule to the Constitution of India, the Legislature of the State may by law regulate the conditions of service of persons appointed to public services and posts in connection with the instrumentalities of the State of Karnataka:

Whereas a teacherin Higher Educational Institutions drawing UGC/AICTE/ICAR or modified AICTEpay scales are employed by the State Government or aided Colleges or institutions appointed to officiate in a post is entitled to draw the presumptive pay of that post and the pension and pensionery benefits of such teacher is determined with reference to the applicable Rules / orders governing grant of pension at the time of retirement or superannuation or death as the case may be.

Whereas the retired teacher of UGC/ICAR/AICTEor modified AICTE Pay Scales are on par with the rest of the State Government pensioners for the purpose of pension and pensionery benefits. Further, it is also an established policy of the State Government that the pension and pensionery benefits of teachers and equivalent cadre staff on UGC/ICAR/AICTE or modified AICTEscales of pay working in institutions maintained and aided by State Government shall be determined as per the Rules of the State Government. The cut-off date in respect of revision of pay and pension is decided taking into consideration the huge financial implications of pay revision and other relevant factors like Central Government financial assistance, if any, etc.,

Whereas, as a matter of precedent policy the pension of the retired teachers who retired prior to the cut-off date of the subsequent pay revision is subjected to further revision, as and when the corresponding revision of pay scales are effected as per decision of the State Government.

Whereas, the Karnataka State Higher Education Council is an Advisory body to the State Government regarding Academic matter pertaining to Higher Education and no power is given to the said Council under the Karnataka State Higher Education Council Act, 2010 (Karnataka Act No.26 of 2010) to recommend or advice on revision of pay or pension to teachers of Higher Educational Institutions. Any adviseor suggestion by the council is not binding on the State Government.

Whereas the Government in Order dated: 24.07.2015 rejected the recommendation of the Karnataka State Higher Education Council to extend the 2006 UGC pay scale prior to 01.01.2006 retirees. This was challenged in the Hon'ble High Court of Karnataka in Writ Petition No. 775-787/2015 (S-R). Allowing the said writ petition, the Hon'ble High Court of Karnataka has observed as follows,namely;-

> "The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words "permissible in law" in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14."

Whereas, the Hon'ble Supreme Court of India in the matter of B.J.Akkara and Ors. V/s GOI&Ors. [(2006) 11 SCC 709] has enunciated certain well settled

principles of fixation of pension and grant of pension, accordingly all retirees retiring with a particular rank do not form a single class for all purposes. Pensioners who retired with same rank need not be given identical pension where the average reckonable emoluments at the time of retirement were different in view of the difference in pay or in view of different pay scales being in force. The principles enunciated by the Hon'ble Apex Court in the above case is in accordance with the policy of the State as well.

Whereas, in Jagdish Prasad Sharma and others v/s State of Bihar and others reported in (2013) 8 SCC 633, the Apex Court has categorically held that UGC regulations are not automatically binding on the State since the plenary power of the State cannot be curtailed by such regulations even though the UGC regulations have statutory force. In the present fact situation comes within the ambit of State policy and the policy decision of the State Government not to extend the revised pensionary benefits to teachers who have retired prior to 01.01.2006 is in compliance with the dicta in Jagdish Prasad Sharma.

Whereas, the Central Government in the letter dated:11.03.2010 had indicated that, it was not mandatory for State Government to give the benefit of revision of pension structure as contemplated in letter dated:11.03.2010 to the teachers of State Universities and Colleges on UGC pay scales, who retired prior to 01.01.2006 and as such, as per the discretionary powers vested in State Government it was decided not to give benefit vide letter dated:11.03.2010 of Government of India.

Whereas, the Hon'ble Supreme Court of India in the matter of Union of India v/s S.Thakur [(2009) (1) SCC (L&S)329] has held that ' it is the function of the executive to decide on the admissible revised pay scale and scope of judicial review of such an administrative decision is very limited'. Further, the Hon'ble Apex Court in the case of Union of India V/s Maniklal Banerjee [2006 SCC (L&S) 1959] has held 'that fixation of cutoff date based upon the financial implication is relevant factor while revising the pay scale'.

Whereas, grant of pension or determination of pension retrospectively based on the subsequent revision of pay scales is against the policy of the State and against the rules framed by the State Government. Any decision to grant enhanced pension retrospectively based on the subsequent revision of pay scale

is not the policy of the State Government. Teachers ceased to be in service as on the date of subsequent revision of pay scale constitute a separate class by themselves. They cannot be equated with teachers whose pay has been revised subsequently.Further, it involves payment of large sums of money and it will be a huge financial burden to the State Exchequer.

And whereas it is necessary and expedient to clear the ambiguity in fixation of pension and grant of pensionery benefits to the teacher, who has retired before revision of UGC/ICAR/AICTE or modified AICTE scales of pay:

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and Commencement.-(1) This Act may be called the Karnataka Regulation of Pay and Pension of Teachers in Higher Educational InstitutionsAct, 2020.

(2) Section 2,3,4,5,6 and 12 shall be deemed to have come into force with effect from 1st January 1986 and remaining provisions shall come into force with effect from 17th January, 2020.

2. Definitions.-(1) In this Act unless the context otherwise requires;-

(i) "**AICTE**" means the All India Council for Technical Education constituted under All India Council for Technical Education Act, 1987 (Central Act 52 of 1987);

(ii) "**College**" means any college or an institution maintained or approved by or affiliated to any University or constituent college of the University and providing courses of study for admission to the examination of the University and includes Autonomous College either under the control of State or funded either substantially or partially by the State Government and includes Government/Aided Colleges and Polytechnic Institutions;

(iii) "**Competent Authority**" means the State Government or any other authority competent to make orders as to regulation of pay and pension of the teachers in Government Colleges, Universities or aided institutions;

(iv) "**Government**" means the Government of Karnataka;

(v) "**Higher Educational Institutions**" means an Academic Institution of Higher Education and Research Associated with and admitted to privileges of a University or maintained by a University; whether professional, technical or otherwise and includes research studies or an institution or a collegeaffiliated to the University,aided institutions and State funded institutions;

(vi) "**ICAR**" means Indian Council of Agricultural Research;

(vii) "**Pay**" means the basic pay attached to the post and carries the same meaning assigned in clause (32) ofrule 8 of the Karnataka Civil Services Rules but does not include Non-Pension Allowance(NPA) and other special allowance granted under relevant provisions of UGC/ICAR/AICTE or modified AICTE as the case may be;

(viii) "**Pension**" means the pension as defined in clause (33) ofrule 8 of the Karnataka Civil Services Rules or respectiverules or orders governing grant of pension issued by the Competent Authority;

(ix) "**Prescribed**" means prescribed by rules made bythe Government;

(x) "**Principal**" means the head of a college or institution by whatever name he is called;

(xi) "**Teacher**" means a person appointed to any of the category of teaching posts such as Professor, Associate Professor, Assistant Professor, Lecturer, Librarians, Reader or Physical Education Personnel by whatever name called and includes all personnel including Principal or Head of the Institution holding post carrying pay scale of UGC/ICAR/AICTE or modified AICTE respectively in Higher educational Institutions.

(xii) "**UGC**" means University Grants Commission established under University Grants Commission Act, 1956 (Central Act 03 of 1956); and

(xiii) "**University**" means an University established by law of the State Legislature.

(2) Words and expressions used in this Act but not defined hereinabove shall have the same meanings as respectively assigned to them under the Karnataka Civil Services Rules and applicable Pension rules or Orders.

3. Regulation of pay and allowances of a teacher.-(1) Subject to such rules as may be prescribed a teacher is entitled to draw the pay and allowances attached to a post to which he is regularly appointed.

(2) The pay of a teacher shall be so regulated as per the Service rules or Orders of the Competent Authority regulating the pay and allowances as the case may be, but not under the provisions of regulations issued by the Government of India or any other Central Government Institution established by an Act of Parliament of India:

Provided that, the pay and allowances of any retired teacher, if he is reappointed or appointed on consolidated pay or contractual agreement etc., shall be determined in accordance with the provisions of the applicable Service Rules or Orders of the State Government and Statutes or rules made by the respective Universities/Higher Educational Institutions governing contractual appointment or under any agreement entered either by the State Government or Higher Educational Institutions as the case may be.

4.Regulation of pension and pensionary benefits of ateacher.- (1) Subject to such rules as may be prescribed the pension and pensionary benefits of a teacher shall be determined with reference to the last pay drawn immediately prior to the date of retirement or superannuation or death, as the case may be,subject to maximum limit, if any, in accordance with the provisions of the Karnataka Civil Services Rulesor Triple Benefit Scheme Rules read with the applicable Pension Rules and Orders as the case may be,if any, issued by the Competent Authority from time to time.

(2) The pension and pensionary benefits once determined shall not be subject to revision unless the pay of the retired teacher is revised retrospectively either by a rule or order of the Competent Authority extending the benefit of revised pay scales retrospectively subject to the conditions imposed in the said Order or rules:

Provided that, a retired teacher is entitled, to get revision of pension or pensionary benefits as per section 5.

5. Revision of Pension of a Teacher.-(1) A teacher shall be entitled for revision of pension corresponding to which has been already settled, as and when State Government revises pension as per recommendation of the Pay

Commission or Committee from time to time and same is adopted by the Higher Educational institutions.

(2) On revision of pay scale, a retired teacher whose pension is settled as per sub-section (1) of section 4 shall not be entitled for revision of his last pay drawn, in new revised pay scale, which is extended only to a teacher retired after implementation of revised scales of pay.

6. Validation of Proceedings and extinguishment of claims.- Notwithstanding anything contained in any judgment, decree or order of any Court, Tribunal or Authority or any Law for the time being inforce,-

(a) anyrule, order or notification made or issued by the Competent Authority regulating pay, pension and pensionary benefits of a teacher regarding UGC/ICAR/AICTE or modified AICTEscale of pay before the commencement of this Act to the extent they are not contrary to the provisions of this Act; or any action done or taken by the Competent Authority in accordance with the provisions of said rules, order or notification shall be deemed to have been validly done or taken under the provisions of this Act;and

(b) any relief regarding pension or pensionary benefits granted to any person by any court contrary to the provisions of this Actshall stand extinguished and any claim of a teacher for revision of pension, which has already been settled by reckoning last pay drawn in pay scale prevailing at time of superannuation or death for extending new revised pay scale shall stand extinguished and accordingly,-

(i) no suit or other proceedings shall be maintained or continued in any court against the Government by any teacher claiming revision of pension on basis of new revision in pay scales; and

(ii) no Court shall enforce any decree or order directing revision of pay scales of a teacherand revision in pension retrospectively.

7. Review.- The State Government may review the fixation of pay and pension contrary to the provisions of the Service Rules applicable to the teacher including cases of mistake of fact or law or ignorance of law, either on its own or by an application and may direct the competent authority to re-fix the pay or

pension or both in accordance with law. However, no arrears shall be recovered if the fixation of pension relates back to five years or more or if the State Government is satisfied that recovery causes undue hardship to the pensioner.

8. Delegation of powers.- The State Government, may by notification, delegate all or any of the powers conferred on it by or under this Act, to such officer or authority subordinate to it except the power to make rules under section 13.

9. Powers of the Government to give directions:-The Government, subject to the provisions of this Actread with the applicable provisions of the Service Rules governing regulation of pay and pension may issue directions from time to time after ascertaining the legality of fixation of pay and pension as it deems necessary.

10. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against any officer of the Government for anything done in good faith or intended to be done under thisAct.

11. Power to remove difficulties.- (1) If any difficulty arises, in giving effect to the provisions of this Act, the Government may, by order published in the official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty:

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before both houses of the State Legislature.

12. Over ridingeffect.-The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or decree or order of a Court or other authority.

13. Power to make rules.- (1) The Government may make rules, after previous publication by notification, to carryout the purposes of this Act.

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making

any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

14. Transitory provisions.-Any rule, order or notification issued by the Competent Authority governing pay, allowances and pension of a teacher before commencement of this Act, shall be deemed to have been issued under this Act to the extent they are not repugnant to the provisions of this Actand they shall continue until they are modified or rescinded by rules made under provisions of this Act.

15. Repeal and Savings.- (1) The Karnataka Regulation of Pay and Pension of Teachers in Higher Educational Institutions Ordinance, 2020 (Karnataka Ordinance No.1 of 2020) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under said Ordinance shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to regulate pay, pension and pensionary benefits admissible to the teacher working in Government Colleges, Universities established by law and in Government aided Higher Educational Institutions under the control of the State Government.

Whereas under the provisions of Article 309 of the Constitution of India and under Entries 14, 32 and 41of List II and under Entry 25 of List III of the Seventh Schedule to the Constitution of India, the Legislature of the State may by law regulate the conditions of service of persons appointed to public services and posts in connection with the instrumentalities of the State of Karnataka:

Whereas a teacherin Higher Educational Institutions drawing UGC/AICTE/ICAR or modified AICTEpay scales are employed by the State Government or aided Colleges or institutions appointed to officiate in a post is entitled to draw the presumptive pay of that post and the pension and pensionery benefits of such teacher is determined with reference to the applicable Rules / orders governing grant of pension at the time of retirement or superannuation or death as the case may be.

Whereas the retired teacher of UGC/ICAR/AICTEor modified AICTE Pay Scales are on par with the rest of the State Government pensioners for the purpose of pension and pensionery benefits. Further, it is also an established policy of the State Government that the pension and pensionery benefits of teachers and equivalent cadre staff on UGC/ICAR/AICTE or modified AICTE scales of pay working in institutions maintained and aided by State Government shall be determined as per the Rules of the State Government. The cut-off date in respect of revision of pay and pension is decided taking into consideration the huge financial implications of pay revision and other relevant factors like Central Government financial assistance, if any, etc.,

Whereas, as a matter of precedent policy the pension of the retired teachers who retired prior to the cut-off date of the subsequent pay revision is subjected to further revision, as and when the corresponding revision of pay scales are effected as per decision of the State Government.

Whereas, the Karnataka State Higher Education Council is an Advisory body to the State Government regarding Academic matter pertaining to Higher Education and no power is given to the said Council under the Karnataka State Higher Education Council Act, 2010 (Karnataka Act No.26 of 2010) to recommend or advice on revision of pay or pension to teachers of Higher Educational Institutions. Any adviseor suggestion by the council is not binding on the State Government.

Whereas the Government in Order dated: 24.07.2015 rejected the recommendation of the Karnataka State Higher Education Council to extend the 2006 UGC pay scale prior to 01.01.2006 retirees. This was challenged in the Hon'ble High Court of Karnataka in Writ Petition No. 775-787/2015 (S-R). Allowing the said writ petition, the Hon'ble High Court of Karnataka has observed as follows namely;-

> "The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words "permissible in law" in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible

under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14."

Whereas, the Hon'ble Supreme Court of India in the matter of B.J.Akkara and Ors. V/s GOI&Ors. [(2006) 11 SCC 709] has enunciated certain well settled principles of fixation of pension and grant of pension, accordingly all retirees retiring with a particular rank do not form a single class for all purposes. Pensioners who retired with same rank need not be given identical pension where the average reckonable emoluments at the time of retirement were different in view of the difference in pay or in view of different pay scales being in force. The principles enunciated by the Hon'ble Apex Court in the above case is in accordance with the policy of the State as well.

Whereas, in Jagdish Prasad Sharma and others v/s State of Bihar and others reported in (2013) 8 SCC 633, the Apex Court has categorically held that UGC regulations are not automatically binding on the State since the plenary power of the State cannot be curtailed by such regulations even though the UGC regulations have statutory force. In the present fact situation comes within the ambit of State policy and the policy decision of the State Government not to extend the revised pensionary benefits to teachers who have retired prior to 01.01.2006 is in compliance with the dicta in Jagdish Prasad Sharma.

Whereas, the Central Government in the letter dated:11.03.2010 had indicated that, it was not mandatory for State Government to give the benefit of revision of pension structure as contemplated in letter dated:11.03.2010 to the teachers of State Universities and Colleges on UGC pay scales, who retired prior

to 01.01.2006 and as such, as per the discretionary powers vested in State Government it was decided not to give benefit vide letter dated:11.03.2010 of Government of India.

Whereas, the Hon'ble Supreme Court of India in the matter of Union of India v/s S.Thakur [(2009) (1) SCC (L&S)329] has held that ' it is the function of the executive to decide on the admissible revised pay scale and scope of judicial review of such an administrative decision is very limited'. Further, the Hon'ble Apex Court in the case of Union of India V/s Maniklal Banerjee [2006 SCC (L&S) 1959] has held 'that fixation of cutoff date based upon the financial implication is relevant factor while revising the pay scale'.

Whereas, grant of pension or determination of pension retrospectively based on the subsequent revision of pay scales is against the policy of the State and against the rules framed by the State Government. Any decision to grant enhanced pension retrospectively based on the subsequent revision of pay scale is not the policy of the State Government. Teachers ceased to be in service as on the date of subsequent revision of pay scale constitute a separate class by themselves. They cannot be equated with teachers whose pay has been revised subsequently. Further, it involves payment of large sums of money and it will be a huge financial burden to the State Exchequer.

And whereas it is necessary and expedient to clear the ambiguity in fixation of pension and grant of pensionery benefits to the teacher, who has retired before revision of UGC/ICAR/AICTE or modified AICTE scales of pay:

Since, the matter was urgent and both the houses of the State Legislature were not in session, the Karnataka Regulation of Pay and Pension of Teachers in Higher Educational Institutions Ordinance, 2020 (Karnataka Ordinance No.1 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence the Bill.

EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1) OF RULE 80 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE KARNATAKA LEGISLATIVE ASSEMBLY

It is considered necessary to regulate pay, pension and pensionary benefits admissible to the teacher working in Government Colleges, Universities established by law and in Government aided Higher Educational Institutions under the control of the State Government.

Whereas under the provisions of Article 309 of the Constitution of India and under Entries 14, 32 and 41of List II and under Entry 25 of List III of the Seventh Schedule to the Constitution of India, the Legislature of the State may by law regulate the conditions of service of persons appointed to public services and posts in connection with the instrumentalities of the State of Karnataka:

Whereas a teacherin Higher Educational Institutions drawing UGC/AICTE/ICAR or modified AICTEpay scales are employed by the State Government or aided Colleges or institutions appointed to officiate in a post is entitled to draw the presumptive pay of that post and the pension and pensionery benefits of such teacher is determined with reference to the applicable Rules / orders governing grant of pension at the time of retirement or superannuation or death as the case may be.

Whereas the retired teacher of UGC/ICAR/AICTEor modified AICTE Pay Scales are on par with the rest of the State Government pensioners for the purpose of pension and pensionery benefits. Further, it is also an established policy of the State Government that the pension and pensionerybenefits of teachers and equivalent cadre staff on UGC/ICAR/AICTE or modified AICTE scales of pay working in institutions maintained and aided by State Government shall be determined as per the Rules of the State Government. The cut-off date in respect of revision of pay and pension is decided taking into consideration the huge financial implications of pay revision and other relevant factors like Central Government financial assistance, if any, etc.,

Whereas, as a matter of precedent policy the pension of the retired teachers who retired prior to the cut-off date of the subsequent pay revision is subjected to further revision, as and when the corresponding revision of pay scales are effected as per decision of the State Government.

Whereas, the Karnataka State Higher Education Council is an Advisory body to the State Government regarding Academic matter pertaining to Higher Education and no power is given to the said Council under the Karnataka State

Higher Education Council Act, 2010 (Karnataka Act No.26 of 2010) to recommend or advice on revision of pay or pension to teachers of Higher Educational Institutions. Any adviseor suggestion by the council is not binding on the State Government.

Whereas the Government in Order dated: 24.07.2015 rejected the recommendation of the Karnataka State Higher Education Council to extend the 2006 UGC pay scale prior to 01.01.2006 retirees. This was challenged in the Hon'ble High Court of Karnataka in Writ Petition No. 775-787/2015 (S-R). Allowing the said writ petition, the Hon'ble High Court of Karnataka has observed as follows namely;-

> "The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words "permissible in law" in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14."

Whereas, the Hon'ble Supreme Court of India in the matter of B.J.Akkara and Ors. V/s GOI&Ors. [(2006) 11 SCC 709] has enunciated certain well settled principles of fixation of pension and grant of pension, accordingly all retirees retiring with a particular rank do not form a single class for all purposes. Pensioners who retired with same rank need not be given identical pension where

the average reckonable emoluments at the time of retirement were different in view of the difference in pay or in view of different pay scales being in force. The principles enunciated by the Hon'ble Apex Court in the above case is in accordance with the policy of the State as well.

Whereas, in Jagdish Prasad Sharma and others v/s State of Bihar and others reported in (2013) 8 SCC 633, the Apex Court has categorically held that UGC regulations are not automatically binding on the State since the plenary power of the State cannot be curtailed by such regulations even though the UGC regulations have statutory force. In the present fact situation comes within the ambit of State policy and the policy decision of the State Government not to extend the revised pensionary benefits to teachers who have retired prior to 01.01.2006 is in compliancewith the dicta in Jagdish Prasad Sharma.

Whereas, the Central Government in the letter dated:11.03.2010 had indicated that, it was not mandatory for State Government to give the benefit of revision of pension structure as contemplated in letter dated:11.03.2010 to the teachers of State Universities and Colleges on UGC pay scales, who retired prior to 01.01.2006 and as such, as per the discretionary powers vested in State Government it was decided not to give benefit vide letter dated:11.03.2010 of Government of India.

Whereas, the Hon'ble Supreme Court of India in the matter of Union of India v/s S.Thakur [(2009) (1) SCC (L&S)329] has held that ' it is the function of the executive to decide on the admissible revised pay scale and scope of judicial review of such an administrative decision is very limited'. Further, the Hon'ble Apex Court in the case of Union of India V/s Maniklal Banerjee [2006 SCC (L&S) 1959] has held 'that fixation of cutoff date based upon the financial implication is relevant factor while revising the pay scale'.

Whereas, grant of pension or determination of pension retrospectively based on the subsequent revision of pay scales is against the policy of the State and against the rules framed by the State Government. Any decision to grant enhanced pension retrospectively based on the subsequent revision of pay scale is not the policy of the State Government. Teachers ceased to be in service as on the date of subsequent revision of pay scale constitute a separate class by themselves. They cannot be equated with teachers whose pay has been revised

subsequently. Further, it involves payment of large sums of money and it will be a huge financial burden to the State Exchequer.

And whereas it is necessary and expedient to clear the ambiguity in fixation of pension and grant of pensionery benefits to the teacher, who has retired before revision of UGC/ICAR/AICTE or modified AICTE scales of pay:

Since, the matter was urgent and both the houses of the State Legislature were not in session, the Karnataka Regulation of Pay and Pension of Teachers in Higher Educational Institutions Ordinance, 2020(Karnataka Ordinance No.1 of 2020) was promulgated to achieve the above object.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3:	Sub-clause (1), empowers the State Government to make rules regarding the pay and allowances to be drawn by a teacher attached to a post to which he is regularly appointed.
Clause 4:	Sub-clause (1), empowers the State Government to make rules regardingthe determination of pension and pensionary benefits of a teacher with reference to the last pay drawn immediately prior to the date of retirement or superannuation or death, as the case may be, subject to maximum limit.
Clause 13:	Sub-clause (1), empowers the State Government to make rules after previous publication for carrying out the purposes of the Act.

The proposed delegation of Legislative power is normal in character.

DR. ASHWATH NARAYAN C.N.
Deputy Chief Minister and
Minister for Higher Education,
IT & BT, Science and Technology,
Skill Development, Entrepreneurship
and livelihood.

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

PR-108

P£ÁðlP «zÁ£¸¨
º¢£Ìz£Ã «zÁ£¸¨
Dg£Ã C¢ªÃ±£

No: KLA/LGA/11/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020g «zÁ£¸¨AiÀ «zÃAiÀP ¸ASÉ-11)

ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡು ಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ನ್ನು (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 14-ಎ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ರ (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) 14ಎ ಪ್ರಕರಣದಲ್ಲಿ (2)ನೇ ಉಪಪ್ರಕರಣದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

``(3) ಈ ಅಧಿನಿಯಮದಲ್ಲಿ ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ, ಯಾವುದೇ ಸಾರ್ವಜನಿಕ ಉದ್ದೇಶಕ್ಕಾಗಿ, ಯೋಜನಾ ಪ್ರಾಧಿಕಾರ, ಸ್ಥಳೀಯ ಪ್ರಾಧಿಕಾರ, ಕರ್ನಾಟಕ ಗೃಹ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೊಳಗೇರಿ ಅಭಿವೃದ್ಧಿ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶಾಭಿವೃದ್ಧಿ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಸಣ್ಣ ಕೈಗಾರಿಕೆಗಳ ಅಭಿವೃದ್ಧಿ ನಿಗಮ ಅಥವಾ ರಾಜೀವ್ ಗಾಂಧಿ ಗ್ರಾಮೀಣ ವಸತಿ ನಿಗಮ ನಿಯಮಿತ ಇವುಗಳು ಯಾವುದೇ ಭೂಮಿಯನ್ನು ಪಡೆದಾಗಲೆಲ್ಲಾ, ಅಂಥ ಭೂಮಿಯ ಭೂ ಬಳಕೆಯು, 12ನೇ ಪ್ರಕರಣದ (1)ನೇ ಉಪಪ್ರಕರಣದ (ಬಿ), (ಸಿ), ಮತ್ತು (ಎಫ್) ಖಂಡಗಳ ಅಡಿಯಲ್ಲಿ ಮೀಸಲಿರಿಸಿದ ಭೂಮಿಗಳನ್ನು ಹೊರತುಪಡಿಸಿ, ಅದನ್ನು ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಪಡೆಯಲಾಗಿದೆಯೋ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂ ಬಳಕೆ ಮಾಡಬೇಕಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು."

(4) ಮಾಸ್ಟರ್ ಪ್ಲಾನ್‌ನಿಂದ ಭೂ ಬಳಕೆಯ ಅಂಥ ಬದಲಾವಣೆಯನ್ನು ಅನುಮತಿಸುವ ಮೊದಲು, ಸರ್ಕಾರವು ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ಶುಲ್ಕವನ್ನು ಯೋಜನಾ ಪ್ರಾಧಿಕಾರವು ವಿಧಿಸತಕ್ಕದ್ದು.''

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಯಾವುದೇ ಸಾರ್ವಜನಿಕ ಉದ್ದೇಶಕ್ಕಾಗಿ, ಯೋಜನಾ ಪ್ರಾಧಿಕಾರ, ಸ್ಥಳೀಯ ಪ್ರಾಧಿಕಾರ, ಕರ್ನಾಟಕ ಗೃಹ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೊಳಗೇರಿ ಅಭಿವೃದ್ಧಿ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶಾಭಿವೃದ್ಧಿ ಮಂಡಳಿ ಕರ್ನಾಟಕ ಸಣ್ಣ ಕೈಗಾರಿಕೆಗಳ ಅಭಿವೃದ್ಧಿ ನಿಗಮ, ಅಥವಾ ರಾಜೀವ್ ಗಾಂಧಿ ಗ್ರಾಮೀಣ ವಸತಿ ನಿಗಮ ನಿಯಮಿತ ಇವುಗಳು ಯಾವುದೇ ಭೂಮಿಯನ್ನು ಪಡೆದಾಗಲೆಲ್ಲಾ, ಮಾಸ್ಟರ್ ಪ್ಲಾನ್‌ನಿಂದ ಭೂ ಬಳಕೆಯ ಅಂಥ ಬದಲಾವಣೆಯನ್ನು ಮಾಡುವುದಕ್ಕಾಗಿ ಭಾವಿತ ಉಪಬಂಧವನ್ನು ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ನ್ನು (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 2:	ಈ ಖಂಡದ ಅಡಿಯಲ್ಲಿ ಸೇರಿಸಲು ಉದ್ದೇಶಿಸಿರುವ 14-ಎ ಪ್ರಕರಣದ (4)ನೇ ಉಪಪ್ರಕರಣವು, ಮಾಸ್ಟರ್ ಪ್ಲಾನ್‌ನಿಂದ ಭೂಮಿಯ ಬದಲಾವಣೆಗಾಗಿ ಶುಲ್ಕ ವಿಧಿಸುವ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದ್ದಾಗಿದೆ.

©. J¸ï. AiÄrAiÄÆg¥À
ªÄÄR÷ªÄAw

JA.P. «±Á¯ÁQë
PÁAiÄðzÀ²ð (¥)
P£ÁðlP «zsÁ£À ¸¨sÉ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ರ (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ಉದ್ಧೃತ ಭಾಗ

Xx xx xx

12. ಬೃಹತ್ ಯೋಜನೆಯ ಒಳಾಂಶಗಳು.- (1) ಬೃಹತ್ ಯೋಜನೆಯು, ಯೋಜನಾ ಪ್ರಾಧಿಕಾರದ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯೊಳಗಿರುವ ಇಡೀ ಯೋಜನಾ ಪ್ರದೇಶದ ಅಭಿವೃದ್ಧಿಯನ್ನು ಮತ್ತು ಮೇಲ್ಪಾಟನ್ನು, ಕಾರ್ಯಗತಗೊಳಿಸಬೇಕಾದ ಮತ್ತು ವಿನಿಯಮಿಸಬೇಕಾದ ರೀತಿಯನ್ನು ಸೂಚಿಸುವ ನಕ್ಷೆಗಳ ಮತ್ತು ದಸ್ತಾವೇಜುಗಳ ಶ್ರೇಣಿಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು, ಅಂಥ ಯೋಜನೆಯು ಈ ಮುಂದಿನ ಪ್ರಸ್ತಾವಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು, ಎಂದರೆ,-

Xx xx xx

(ಬಿ) ಮೇಲ್ಪಾಟುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ಪ್ರಸ್ತಾವಗಳೊಂದಿಗೆ ತಕ್ಷಣದ ಮತ್ತು ಮುಂದಿನ ಅಗತ್ಯತೆಗಳನ್ನು ಪೂರೈಸುವುದಕ್ಕಾಗಿ ಮುಖ್ಯ ಮತ್ತು ಉಪ ರಸ್ತೆಗಳನ್ನು, ರಾಷ್ಟ್ರೀಯ ಹೆದ್ದಾರಿಗಳನ್ನು ಮತ್ತು ರಾಜ್ಯ ಹೆದ್ದಾರಿಗಳನ್ನು ಮತ್ತು ವಾಹನ ಸಂಚಾರ ಮಾರ್ಗದ ರೀತಿಯನ್ನು ಸೂಚಿಸುವ ಸಂಪೂರ್ಣ ರಸ್ತೆ ಮಾದರಿ;

(ಸಿ) ಉದ್ಯಾನವನಗಳಿಗೆ, ಆಟದ ಮೈದಾನಗಳಿಗೆ ಮತ್ತು ಇತರ ಮನರಂಜನೆಯ ಬಳಕೆಗೆ, ಸಾರ್ವಜನಿಕ ಬಯಲು ಸ್ಥಳಗಳಿಗೆ, ಸಾರ್ವಜನಿಕ ಕಟ್ಟಡಗಳಿಗೆ ಮತ್ತು ಸಂಸ್ಥೆಗಳಿಗೆ ಮೀಸಲಿಟ್ಟ ಪ್ರದೇಶಗಳು ಮತ್ತು ಹೊಸ ನಾಗರಿಕ ಅಭಿವೃದ್ಧಿಗಳಿಗಾಗಿ ವಿಹಿತವಾಗಬಹುದಾದಂಥ ಇತರ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಮೀಸಲಿಟ್ಟ ಪ್ರದೇಶ;

Xx xx xx

(ಎಫ್) ಕೆಲವು ಪ್ರದೇಶಗಳನ್ನು ವಿಶೇಷ ನಿಯಂತ್ರಣ ಪ್ರದೇಶಗಳೆಂದು ಘೋಷಿಸುವುದು ಮತ್ತು ಕಟ್ಟಡದ ಎಲ್ಲೆ, ಕಟ್ಟಡದ ಎತ್ತರ, ನೆಲ ಪ್ರದೇಶ ಪ್ರಮಾಣ, ವಾಸ್ತುಶಿಲ್ಪದ ಲಕ್ಷಣಗಳು ಮತ್ತು ನಿಯಮಿಸಬಹುದಾದಂಥ ಇತರ ವಿವರಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ರಚಿಸಬಹುದಾದಂಥ ವಿನಿಯಮನಗಳಿಗೊಳಪಟ್ಟ ಅಂಥ ಪ್ರದೇಶಗಳಲ್ಲಿ ಅಭಿವೃದ್ಧಿ;

Xx xx xx

14ಎ. ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿ ಹೇಳಿರುವ ಭೂ ಬಳಕೆಯನ್ನು ಬದಲಾಯಿಸುವುದು.- (1) ಒಂದು ಪ್ರದೇಶದ ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯು ಕಾರ್ಯಾಚರಣೆಗೆ ಬಂದ ದಿನಾಂಕದ ತರುವಾಯ ಯಾವುದೇ ಕಾಲದಲ್ಲಿ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ಪೂರ್ವಾನುಮೋದನೆ ಪಡೆದು, ಭೂ ಸ್ಥಳದ, ಸ್ವರೂಪದ, ಭೂ ನಕ್ಷೆಯು, ಅಥವಾ ಇತರ ಲೋಪದೋಷಗಳ ಕಾರಣದಿಂದಾಗಿ ಅಥವಾ ಯೋಜನೆಯಲ್ಲಿ ವಿವರಗಳನ್ನು ಪೂರ್ತಿಯಾಗಿ ಸೂಚಿಸಲು ತಪ್ಪಿದ್ದರಿಂದಾಗಿ ಅಥವಾ ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿರುವ ಪ್ರಸ್ತಾವಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದರಿಂದ ಉಂಟಾಗುವ ಬದಲಾವಣೆಗಳಿಂದಾಗಿ ಅಥವಾ ಯೋಜನೆಯನ್ನು ಜಾರಿಗೊಳಿಸುವ ಮೂಲಕ ಯಾವುದೇ ನಿರ್ದಿಷ್ಟ ಕಾಲದಲ್ಲಿ ಇರುವ ಸಂದರ್ಭಗಳಿಂದಾಗಿ ಅಗತ್ಯವಾಗಬಹುದಾದಂತೆ ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿ ಹೇಳಿರುವ ಭೂ ಬಳಕೆಯ ಅಥವಾ ಅಭಿವೃದ್ಧಿಯ ಬದಲಾವಣೆಗೆ ಅನುಮತಿಸಬಹುದು:

ಪರಂತು,-

(ಎ) ಎಲ್ಲಾ ಬದಲಾವಣೆಗಳು ಸಾರ್ವಜನಿಕ ಹಿತಾಸಕ್ತಿಗೆ ಅನುಗುಣವಾಗಿರಬೇಕು;

(ಬಿ) ಪ್ರಸ್ತಾವಿಸಲಾದ ಬದಲಾವಣೆಗಳು ಈ ಅಧಿನಿಯಮದ ಅಥವಾ ಯೋಜನೆಯನ್ನು, ಅಥವಾ ಸ್ಥಳೀಯ ಯೋಜನಾ ಪ್ರದೇಶದೊಳಗಿರುವ ಭೂ ಅಭಿವೃದ್ಧಿಯನ್ನು ಅಥವಾ ಬಳಕೆಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಇತರ ಯಾವುದೇ ಕಾನೂನಿನ ಯಾವುದೇ ಉಪಬಂಧಗಳನ್ನು ಉಲ್ಲಂಘಿಸಬಾರದು; ಮತ್ತು

(ಸಿ) ಅಂಥ ಎಲ್ಲಾ ಬದಲಾವಣೆಗಳ ಪ್ರಸ್ತಾವಗಳನ್ನು ಆ ಪ್ರದೇಶದಲ್ಲಿ ಪ್ರಸಾರದಲ್ಲಿರುವ ಒಂದು ಅಥವಾ ಹೆಚ್ಚು ದೈನಂದಿನ ವೃತ್ತಪತ್ರಿಕೆಗಳಲ್ಲಿ ಪ್ರಕಟಿಸಬೇಕು, ಆ ಪ್ರಕಟಣೆಯಲ್ಲಿ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂತೆ, ಪ್ರಕಟಣೆಯ ದಿನಾಂಕದಿಂದ ಹದಿನೈದು ದಿನಗಳಿಗೆ ಕಡಿಮೆಯಿಲ್ಲದ ಅವಧಿಯೊಳಗೆ ಸಾರ್ವಜನಿಕರಿಂದ ಆ ಬಗ್ಗೆ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಆಹ್ವಾನಿಸಬೇಕು.

(2) 14ನೇ ಪ್ರಕರಣದ (2)ನೇ ಮತ್ತು (3)ನೇ ಉಪಪ್ರಕರಣದ ಉಪಬಂಧಗಳು ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿ ಹೇಳಿರುವ ಭೂ ಬಳಕೆಯ ಅಥವಾ ಅಭಿವೃದ್ಧಿಯ ಬದಲಾವಣೆಗೆ ಯಥೋಚಿತ ವ್ಯತ್ಯಾಸಗಳೊಂದಿಗೆ ಅನ್ವಯವಾಗತಕ್ಕದ್ದು.

Xx xx xx

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA TOWN AND COUNTRY PLANNING (AMENDMENT) BILL, 2020

(LA Bill No. 11 of 2020)

A Bill further to amend the Karnataka Town and Country Planning Act, 1961.

Whereas it is expedient further to amend the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Town and Country Planning (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 14-A.- In the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) in section 14A after sub-section (2) the following shall be inserted, namely:-

"(3) Notwithstanding anything contained in this Act, whenever any land is procured by the Planning Authority, Local Authority, Karnataka Housing Board, Karnataka Slum Development Board, Karnataka Industrial Area Development Board, Karnataka Small Scale Industries Development Corporation or Rajiv Gandhi Rural Housing Corporation Limited for any public purpose, the land use of such land, excluding lands reserved under clauses (b), (c) and (f) of sub-section (1) of section 12 shall be deemed to be the land use for the purpose for which it has been procured.

(4) The Planning Authority shall levy such fee as may be prescribed by the Government before allowing such change of land use from the Master Plan."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) to make a deemed provision for

change of land use from the master plan whenever any land is procured by the Planning Authority, Local Authority, Karnataka Housing Board, Karnataka Slum Development Board, Karnataka Industrial Area Development Board, Karnataka Small Scale Industries Development Corporation or Rajiv Gandhi Rural Housing Corporation Limitedfor any public purpose.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra- expenditure involved in the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2: sub section (4) of section 14-A sought to be inserted under this clause, empowers the State Government to make rules regarding levy of fee for change of land from the master plan.

The proposed delegation of legislative power is normal in Character.

B.S.YEDIYURAPPA
Chief Minister

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE KARNATAKA TOWN AND COUNTRY PLANNING ACT, 1961 (KARNATAKA ACT 11 OF 1963)

XX XX XX

12. Contents of Master Plan.- (1) The Master Plan shall consist of a series of maps and documents indicating the manner in which the development and improvement of the entire planning area within the jurisdiction of the Planning Authority are to be carried out and regulated, such plan shall include proposals for the following, namely:-

XX XX XX

(b) a complete street pattern, indicating major and minor roads, national highways, and state highways, and traffic circulation pattern, for meeting immediate and future requirements with proposals for improvements;

(c) areas reserved for parks, playgrounds, and other recreational uses, public open spaces, public buildings and institutions and area reserved for such other purposes as may be expedient for new civic developments;

XX XX XX

(f) declaring certain areas, as areas of special control and development in such areas being subject to such regulations as may be made in regard to building line, height of the building, floor area ratio, architectural features and such other particulars as may be prescribed;

XX XX XX

14A. Change of land use from the outline development plan.-(1) At any time after the date on which the outline development plan for an area comes into operation, the Planning Authority may, with the previous approval of the State Government, allow such changes in the land use or development from the outline development plan as may be necessitated by topographical cartographical or other errors and omissions, or due to failure to fully indicate the details in the plan or changes arising out of the implementation of the proposals in outline development plan or the circumstances prevailing at any particular time, by the enforcement of the plan:

Provided that,- (a) all changes are in public interest;

(b) the changes proposed do not contravene any of the provisions of this Act or any other law governing planning, development or use of land within the local planning area; and

(c) the proposal for all such changes are published in one or more daily newspapers, having circulation in the area, inviting objections from the public within a period of not less than fifteen days from the date of publication as may be specified by the Planning Authority.

(2) The provisions of sub-section (2) and (3) of section 14 shall apply mutatis mutandis to the change in land use or development from the outline development plan.

XX XX XX

PR-109

P£ÁðlP «zÁ£¸¨

ºÉ¢£ÉzÀ£Ã «zÁ£¸¨

Dg£Ã C¢ü±£

No: KLA/LGA/12/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳು ಮತ್ತು ಕೆಲವು ಇತರ ಕಾನೂನು (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020
(2020g «zÁ£¸¨AiÀ «zÃAiÀP ¸ASÉ–12)

ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ ಅಧಿನಿಯಮ, 1964ನ್ನು ಮತ್ತು ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದಕ್ಕಾಗಿ ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಪೌರ ಸಭೆಗಳ ಅಧಿನಿಯಮ, 1964ನ್ನು (1964ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 22) ಮತ್ತು ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ನ್ನು (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳು ಮತ್ತು ಕೆಲವು ಇತರ ಕಾನೂನು (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 1964ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 22ಕ್ಕೆ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ ಅಧಿನಿಯಮ, 1964ರಲ್ಲಿ (1964ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 22), 38ನೇ ಪ್ರಕರಣದ (2)ನೇ ಉಪಪ್ರಕರಣದ (ಜೆ) ಖಂಡದಲ್ಲಿ (vi-ಎ) ಉಪಖಂಡದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ :-

``(vi-ಬಿ) ಅರ್ಹ ಮತದಾರನು, ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಪೈಕಿ ಯಾವೊಬ್ಬ ಅಭ್ಯರ್ಥಿಯ ಪರವಾಗಿ ತನ್ನ ಮತವನ್ನು ಚಲಾಯಿಸಲು ಇಚ್ಛಿಸದಿರುವ ಸಂದರ್ಭದಲ್ಲಿ ಆತನು None Of The Above (NOTA) (ಮೇಲಿನ ಯಾರೊಬ್ಬರಿಗೂ ಅಲ್ಲ) ಎಂದು ಮತವನ್ನು ಚಲಾಯಿಸುವ ರೀತಿ ;''

3. 1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14ಕ್ಕೆ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ರಲ್ಲಿ (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14), 55ನೇ ಪ್ರಕರಣದ (2)ನೇ ಉಪಪ್ರಕರಣದ (ಎಚ್) ಖಂಡದಲ್ಲಿ (vi-ಎ) ಉಪಖಂಡದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ :-

``(vi-ಬಿ) ಅರ್ಹ ಮತದಾರನು, ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಪೈಕಿ ಯಾವೊಬ್ಬ ಅಭ್ಯರ್ಥಿಯ ಪರವಾಗಿ ತನ್ನ ಮತವನ್ನು ಚಲಾಯಿಸಲು ಇಚ್ಛಿಸದಿರುವ ಸಂದರ್ಭದಲ್ಲಿ ಆತನು **None Of The Above (NOTA)** (ಮೇಲಿನ ಯಾರೊಬ್ಬರಿಗೂ ಇಲ್ಲ) ಎಂದು ಮತವನ್ನು ಚಲಾಯಿಸುವ ರೀತಿ ;''

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸುವ ಅಭ್ಯರ್ಥಿಗಳ ಪೈಕಿ **None Of The Above (NOTA)** (ಮೇಲಿನ ಯಾರೊಬ್ಬರಿಗೂ ಅಲ್ಲ) ಕುರಿತು ಮತಪತ್ರಗಳಲ್ಲಿ ಹಾಗೂ ವಿದ್ಯುನ್ಮಾನ ಮತಯಂತ್ರದಲ್ಲಿ ಮತದಾರರಿಗೆ ಆಯ್ಕೆಯನ್ನು ನೀಡಲು ಕರ್ನಾಟಕ ಪೌರ ಸಭೆಗಳ ಅಧಿನಿಯಮ, 1964ನ್ನು (1964ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 22) ಮತ್ತು ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ನ್ನು (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಳ್ಳುವುದಿಲ್ಲ.

©. J¸ï. AiÄrAiÄÆg¥
ªÄÄR¶ªÄAw

JA.P. «±Á¯ÁQë
PÁAiÄðzÀ²ð (¥)
P£ÁðlP «zÁ£À¸À¨sÉ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ ಅಧಿನಿಯಮ, 1964ರ (1964ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 22) ಉದ್ಧೃತ ಭಾಗ

Xx xx xx

38. ಚುನಾವಣೆಗಳ ನಿಯಂತ್ರಣ.- Xx xx xx

(2) (1)ನೇ ಉಪಪ್ರಕರಣಕ್ಕೆ ಒಳಪಟ್ಟು, ಸರ್ಕಾರವು ಈ ಅಧಿನಿಯಮದ ಮೇರೆಗೆ ಕೌನ್ಸಿಲರುಗಳ ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಈ ಕೆಳಕಂಡ ಎಲ್ಲ ಅಥವಾ ಯಾವುದೇ ವಿಷಯಗಳ ಬಗ್ಗೆ ಉಪಬಂಧಿಸಲು ಅಥವಾ ಅವುಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು, ಎಂದರೆ:-

Xx xx xx

(ಜೆ) ಮತದಾನಕ್ಕಾಗಿ ದಿನಾಂಕ, ಕಾಲ ಮತ್ತು ಸ್ಥಳ, ಮತ್ತು,-

(i) ಪ್ರತಿಯೊಂದು ವಾರ್ಡ್ ಗೆ ಮತಗಟ್ಟೆಗಳನ್ನು ಗೊತ್ತುಪಡಿಸುವುದು;

(ii) ಮತಗಳನ್ನು ಚಲಾಯಿಸಲು ಮತಗಟ್ಟೆಯನ್ನು ತೆರೆದಿಡಬೇಕಾದ ವೇಳೆಗಳು;

(iii) ಮತಪತ್ರಗಳ ಮುದ್ರಣ ಮತ್ತು ನೀಡಿಕೆ;

(iv) ಮತದಾರರ ಪಟ್ಟಿಯನ್ನು ಪರಿಶೀಲಿಸಿ ಮತದಾರರನ್ನು ಪರೀಕ್ಷಿಸುವುದು;

(v) ಮತದಾರನ ಎಡಗೈ ತೋರುಬೆರಳಿನ ಅಥವಾ ಇತರ ಯಾವುದೇ ಬೆರಳಿನ ಅಥವಾ ಅವಯವದ ಮೇಲೆ ಅಳಿಸಲಾಗದ ಶಾಯಿಯಿಂದ ಗುರುತು ಮಾಡುವುದು ಮತ್ತು ಮತದಾರನಂತೆ ನಟಿಸುವುದನ್ನು ತಡೆಗಟ್ಟುವ ಹಾಗೆ, ಈಗಾಗಲೇ ಅಂಥ ಗುರುತು ಹೊಂದಿರುವಂಥ ವ್ಯಕ್ತಿಯು ಆ ಕಾಲದಲ್ಲಿ, ಅಂಥ ಮತ ಪತ್ರಕ್ಕಾಗಿ ಮನವಿ ಸಲ್ಲಿಸಿದರೆ, ಅಂಥ ಯಾರೇ ವ್ಯಕ್ತಿಗೆ ಯಾವುದೇ ಮತಪತ್ರ ಕೊಡುವುದನ್ನು ನಿಷೇಧಿಸುವುದು;

(vi) ಮತಗಳನ್ನು ಕೊಡಬೇಕಾದ ಮತ್ತು ವಿಶೇಷವಾಗಿ ಅನಕ್ಷರಸ್ಥ ಮತದಾರರು ಅಥವಾ ದೈಹಿಕ ಅಥವಾ ಇತರ ಅಸಾಮರ್ಥ್ಯ ಇರುವ ಮತದಾರರ ಸಂದರ್ಭದಲ್ಲಿ ಮತ ನೀಡಬೇಕಾದ ರೀತಿ;

(viಎ) ಮತಯಂತ್ರಗಳ ಮೂಲಕ ಮತಗಳನ್ನು ನೀಡುವ ಮತ್ತು ದಾಖಲಿಸುವ ರೀತಿ;

Xx xx xx

ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ರ (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ಉದ್ಧೃತ ಭಾಗ

Xx xx xx

55. ಚುನಾವಣೆಗಳ ನಿಯಂತ್ರಣ ಮತ್ತು ಕೌನ್ಸಿಲರುಗಳ ಚುನಾವಣೆಯನ್ನು ವಿನಿಯಮಿಸುವ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ಅಧಿಕಾರ .- Xx xx xx

(2) (1)ನೇ ಉಪಪ್ರಕರಣಕ್ಕೆ ಒಳಪಟ್ಟು, ಸರ್ಕಾರವು ಈ ಅಧಿನಿಯಮದ ಮೇರೆಗೆ ಕೌನ್ಸಿಲರುಗಳ ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಈ ಕೆಳಕಂಡ ಎಲ್ಲ ಅಥವಾ ಯಾವುದೇ ವಿಷಯಗಳ ಬಗ್ಗೆ ಉಪಬಂಧಿಸಲು ಅಥವಾ ಅವುಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು, ಎಂದರೆ:-

Xx xx xx

(ಹೆಚ್) ಮತದಾನಕ್ಕಾಗಿ ದಿನಾಂಕ, ಕಾಲ ಮತ್ತು ಸ್ಥಳ, ಮತ್ತು,-

(i) ಪ್ರತಿಯೊಂದು ವಾರ್ಡ್ ಗೆ ಮತಗಟ್ಟೆಗಳನ್ನು ಗೊತ್ತುಪಡಿಸುವುದು;

(ii) ಮತಗಳನ್ನು ಚಲಾಯಿಸಲು ಮತಗಟ್ಟೆಯನ್ನು ತೆರೆದಿಡಬೇಕಾದ ವೇಳೆಗಳು;

(iii) ಮತಪತ್ರಗಳ ಮುದ್ರಣ ಮತ್ತು ನೀಡಿಕೆ;

(iv) ಮತದಾರರ ಪಟ್ಟಿಯನ್ನು ಪರಿಶೀಲಿಸಿ ಮತದಾರರನ್ನು ಪರೀಕ್ಷಿಸುವುದು;

(v) ಮತದಾರನ ಎಡಗೈ ತೋರುಬೆರಳಿನ ಅಥವಾ ಇತರ ಯಾವುದೇ ಬೆರಳಿನ ಅಥವಾ ಅವಯವದ ಮೇಲೆ ಅಳಿಸಲಾಗದ ಶಾಯಿಯಿಂದ ಗುರುತು ಮಾಡುವುದು ಮತ್ತು ಮತದಾರನಂತೆ ನಟಿಸುವುದನ್ನು ತಡೆಗಟ್ಟುವ ಹಾಗೆ, ಈಗಾಗಲೇ ಅಂಥ ಗುರುತು ಹೊಂದಿರುವಂಥ ವ್ಯಕ್ತಿಯು ಆ ಕಾಲದಲ್ಲಿ, ಅಂಥ ಮತ ಪತ್ರಕ್ಕಾಗಿ ಮನವಿ ಸಲ್ಲಿಸಿದರೆ, ಅಂಥ ಯಾರೇ ವ್ಯಕ್ತಿಗೆ ಯಾವುದೇ ಮತಪತ್ರ ಕೊಡುವುದನ್ನು ನಿಷೇಧಿಸುವುದು;

(vi) ಮತಗಳನ್ನು ಕೊಡಬೇಕಾದ ಮತ್ತು ವಿಶೇಷವಾಗಿ ಅನಕ್ಷರಸ್ಥ ಮತದಾರರು ಅಥವಾ ದೈಹಿಕ ಅಥವಾ ಇತರ ಅಸಾಮರ್ಥ್ಯ ಇರುವ ಮತದಾರರ ಸಂದರ್ಭದಲ್ಲಿ ಮತ ನೀಡಬೇಕಾದ ರೀತಿ;

(viಎ) ಮತಯಂತ್ರಗಳ ಮೂಲಕ ಮತಗಳನ್ನು ನೀಡುವ ಮತ್ತು ದಾಖಲಿಸುವ ರೀತಿ;

Xx xx xx

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA MUNICIPALITIES AND CERTAIN OTHER LAW (AMENDMENT) BILL, 2020

(LA Bill No. 12 of 2020)

A Bill further to amend the Karnataka Municipalities Act, 1964 and the Karnataka Municipal Corporations Act, 1976.

Whereas it is expedient further to amend the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964), and the Karnataka Municipal CorporationsAct, 1976 (Karnataka Act 14 of 1977) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Municipalities and Certain Other Law (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of the Karnataka Act 22 of 1964.- In the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964), in section 38, in sub-section (2), in clause (j), after sub-clause (vi-a), the following shall be inserted, namely:-

"(vi -b) the manner of cast of vote by the qualified voter in favour of none of the above (NOTA) candidates contesting at the election, in case where he does not want to cast his vote in favour of any candidate;"

3. Amendment of the Karnataka Act 14 of 1977.- In the Karnataka Municipal CorporationsAct, 1976 (Karnataka Act 14 of 1977), in section 55,in sub-section (2), clause (h), after sub-clause (vi-a), the following shall be inserted, namely:-

"(vi-b) the manner of cast of vote by the qualified voter in favour of none of the above (NOTA) candidates contesting at the election, in case where he does not want to cast his vote in favour of any candidate;"

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) and the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) to give option to the voters in the ballot papers and electronic voting machine regarding the none of the above candidates contesting at the election.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

B.S.YEDIYURAPPA
Chief Minister

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE
THE EXTRACT FROM THE KARNATAKA MUNICIPALITIES ACT, 1964
(KARNATAKA ACT 22 OF 1964)

X X XX XX

38. Control of elections.-X X XX XX

(2) Subject to sub-section (1) Government may, by notification and after previous publication, make rules to provide for or to regulate all or any of the following matters for the purpose of holding elections of councilors under this Act, namely:—

X X XX XX

(j) the date, time and place for poll and other matters relating to the conduct of elections including,—

(i) the appointment of polling stations for each ward
(ii) the hours during which the polling station shall be kept open for the casting of votes;
(iii) the printing and issue of ballot papers
(iv) the checking of voters of reference to the electoral roll;
(v) the marking with indelible ink on the left fore-finger or any other finger or limb of the voter and prohibition of the delivery of any ballot paper to any person if at the time such person applies for such paper he has already such mark so as to prevent personation of voters;

(vi) the manner in which votes are to be given and in particular in the case of illiterate voters or of voters under physical or other disability;

(via) the manner of giving and recording of votes by voting machines;

X X XX XX

THEEXTRACT FROM THE KARNATAKA MUNICIPAL CORPORATIONS ACT,1976 (KARNATAKA ACT NO. 14 OF 1977)

X X XX XX

55.Control of elections and power to make rules regulating the election of councilors.- X X XX XX

(2) Subject to sub-section (1) the Government may make rules to provide for or regulate all or any of the following matters for the purpose of holding elections of councilors under this Act, namely:-

X X XX XX

(h)the date, time and place for poll and other matters relating to the conduct of elections including,-

(i) the appointment of polling stations for each ward

(ii) the hours during which the polling station shall be kept open for the casting of votes,

(iii) the printing and issue of ballot papers

(iv) the checking of votes by reference by the electoral roll,

(v) the marking with indelible ink of the left forefinger or any other finger or limb of the voter and prohibition of the delivery of any ballot paper to any person if at the time such person applies for such paper he has already such mark so as to prevent personation of voters,

(vi) the manner in which cotes are to be given and in particular in the case of illiterate voters or of voters under physical or other disability,

(via) the manner of giving and recording of votes by voting machines;

X X XX XX

PR-110

P£ÁðlP «zsÁ£À ¸À¨sÉ

¸ÀaªÁ®AiÀÄ

Dg£Á C¢ü¸ÀÆZÀ£É

No: KLA/LGA/13/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020g «zÁ£¸¨¨AiÀ «zÃAiÀP ¸ASÉ–13)

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981ನ್ನು (1982ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 35) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 1ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981ರ (1982ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 35) 1ನೇ ಪ್ರಕರಣದ (2)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿನ (i) ನೇ ಖಂಡದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

(i-ಎ) ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಮತ್ತು ಅಂಥ ನಗರಪಾಲಿಕೆ ಪ್ರದೇಶದೊಳಗೆ ಬರುವ ಯಾವುದೇ ಇತರ ಪ್ರದೇಶ ಅಥವಾ ಕರ್ನಾಟಕ ನಗರ ಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ರ (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ಅಡಿಯಲ್ಲಿ ಘೋಷಿತವಾದ ದೊಡ್ಡ ನಗರ ಪ್ರದೇಶ ಅಥವಾ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಯಾವುದೇ ಇತರ ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಪ್ರಸ್ತುತ ಜಾರಿಯಲ್ಲಿರುವ ಸಂಬಂಧಿತ ಕಾನೂನಿನ ಅಡಿಯಲ್ಲಿ ರಚನೆಯಾದ ಯಾವುದೇ ಇತರ ಸ್ಥಳೀಯ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರದ ಅಡಿಯಲ್ಲಿ ಬರುವ ಪ್ರದೇಶಗಳಲ್ಲಿ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು."

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೊಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981ರ (1982ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 35) ಉಪಬಂಧಗಳ ಅನ್ವಯಿಸುವಿಕೆಯನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಮತ್ತು ಕರ್ನಾಟಕ ನಗರ ಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ರ (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ಅಡಿಯಲ್ಲಿ ಘೋಷಿಸಿದ ಅಂಥ ನಗರ ಪಾಲಿಕೆ ಪ್ರದೇಶ ಅಥವಾ ದೊಡ್ಡನಗರ ಪ್ರದೇಶದೊಳಗೆ ಬರುವ ಯಾವುದೇ ಇತರ ಪ್ರದೇಶ ಅಥವಾ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ಸಂಬಂಧಿತ ಕಾನೂನಿನ ಅಡಿಯಲ್ಲಿ ರಚನೆಯಾದ, ಇತರ ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಯಾವುದೇ ಇತರ ಸ್ಥಳೀಯ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರ ಇವುಗಳಿಗೆ ವಿಸ್ತರಿಸುವುದಕ್ಕಾಗಿ ಸದರಿ ಅಧಿನಿಯಮಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ಆರ್ಥಿಕ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

©. J¸ï. AiÀÄrAiÀÆg¥Àà
ªÀÄRåªÀÄAw

JA.P. «±Á¯ÁQë
PÁAiÀðzÀ²ð (¥)
P£ÁðlP «zsÁ£À ¸¨sÉ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981ರ (1982ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 35) ಉದ್ಧೃತ ಭಾಗ

XX xx xx

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು,-

(i) ಕರ್ನಾಟಕ ನಗರ ಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976 ಅಥವಾ ಯಾವುದೇ ಇತರ ಕಾನೂನಿನ ಮೇರೆಗೆ ರಚಿತವಾದ ಅಥವಾ ಮುಂದುವರೆಸಲಾದ, ಬೆಂಗಳೂರು, ಮೈಸೂರು, ಹುಬ್ಬಳ್ಳಿ-ಧಾರವಾಡ, ಮಂಗಳೂರು ಮತ್ತು ಬೆಳಗಾವಿ ನಗರಗಳಲ್ಲಿ 1981ರ ಮೇ ಐದನೇ ದಿನದಂದು ಜಾರಿಗೆ ಬಂದಿರುವುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು.

Xx xx xx

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA OPEN PLACES (PREVENTION OF DISFIGUREMENT) (AMENDMENT) BILL, 2020

(LA Bill No. 13 of 2020)

A Bill further to amend the Karnataka Open Places (Prevention of Disfigurement) Act, 1981.

Whereas it is expedient further to amend the Karnataka Open Places (Prevention of Disfigurement) Act, 1981 (Karnataka Act 35 of 1982) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India as follows, namely:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Open Places (Prevention of Disfigurement) (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 1.- In the Karnataka Open Places (Prevention of Disfigurement) Act, 1981 (Karnataka Act 35 of 1982), in section 1, in sub-section (2), after clause (i), the following shall be inserted, namely:-

"(i-a) come in to force in any other area falling within municipal corporation area or Larger urban area declared under the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) or areas falling under the Bangalore Development Authority or any other Urban Development Authority or any other Local Planning Authority constituted under relevant Law in force from such date as may be notified by the State Government."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Open Places (Prevention of Disfigurement) Act, 1981 (Karnataka Act 35 of 1982) to extend the applicability of provisions of the said Act to any other area falling within municipal corporation area or Larger urban area declared under the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) or areas falling under the Bangalore Development Authority or any other Urban Development Authority or any other Local Planning Authority constituted under relevant Law in force from such date as may be notified by the State Government.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

B.S.YEDIYURAPPA
Chief Minister

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE KARNATAKA OPEN PLACES (PREVENTION OF DISFIGUREMENT) ACT, 1981 (KARNATAKA ACT 35 OF 1982)

X X XX XX

1. Short title and commencement.- (1) This Act may be called the Karnataka Open Places (Prevention of Disfigurement) Act, 1981.

(2) It shall,-

(i) be deemed to have come into force in the cities of Bangalore, Mysore, Hubli-Dharwar, Mangalore and Belgaum constituted or continued under the Karnataka Municipal Corporations Act, 1976 or under any other law, on the fifth day of May 1981;

X X XX XX

PR-111

PÉÁð▮P «zÀ£À¸À¨¨
º¢£ÌzÀ£Ã «zÁ£À¸À¨¨
Dg£Ã C¢ªÃ±£

No: KLA/LGA/14/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ರೇಸ್‌ಕೋರ್ಸುಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020g «zÁ£À¸À¨¨AiÄ «zÃAiÄP ¸ASÌ–14)

ಕರ್ನಾಟಕ ರೇಸ್ ಕೋರ್ಸುಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ರೇಸ್ ಕೋರ್ಸುಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ನ್ನು (1952ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ VIII) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು, ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ರೇಸ್‌ಕೋರ್ಸುಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 4ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ರೇಸ್ ಕೋರ್ಸುಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ರ (1952ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ VIII) (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) 4ನೇ ಪ್ರಕರಣದಲ್ಲಿ ``ಸರ್ಕಾರ'' ಎಂಬ ಪದ ಬರುವೆಡೆಗಳಲ್ಲೆಲ್ಲಾ ಆ ಪದದ ತರುವಾಯ ``ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸಿದ ಅಧಿಕಾರಿ'' ಎಂಬ ಪದಗಳನ್ನು ಅವುಗಳ ಪ್ರತ್ಯಯಗಳೊಂದಿಗೆ ಸೇರಿಸತಕ್ಕದ್ದು.

3. 5ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 5ನೇ ಪ್ರಕರಣದಲ್ಲಿ ``ಐದು ನೂರು ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳಿಗೆ ``ಐವತ್ತು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

4. 6ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 6ನೇ ಪ್ರಕರಣದಲ್ಲಿ ``ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳಿಗೆ ``ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

5. 7ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 7ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(i) (1)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ,-

(ಎ) ``ಸರ್ಕಾರವು'' ಎಂಬ ಪದದ ತರುವಾಯ ``ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃಗೊಳಿಸುವ ಅಧಿಕಾರಿಯು'' ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು; ಮತ್ತು

(ಬಿ) ``ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳಿಗೆ ``ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

(ii) (2)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ,-

(ಎ) ``ಸರ್ಕಾರವು'' ಎಂಬ ಪದದ ತರುವಾಯ ``ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃಗೊಳಿಸುವ ಅಧಿಕಾರಿಯು'' ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು; ಮತ್ತು

(ಬಿ) ``ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳಿಗೆ ``ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ'' ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

6. 8ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 8ನೇ ಪ್ರಕರಣದಲ್ಲಿ ``ಸರ್ಕಾರದ'' ಎಂಬ ಪದದ ತರುವಾಯ ``ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃಗೊಳಿಸುವ ಅಧಿಕಾರಿಯ'' ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು.

7. 9ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 9ನೇ ಪ್ರಕರಣದ (1)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ ``ಸರ್ಕಾರದ'' ಎಂಬ ಪದದ ತರುವಾಯ ``ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃಗೊಳಿಸುವ ಅಧಿಕಾರಿಯ'' ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕುದುರೆ ರೇಸಿಂಗ್‌ನ ಪರವಾನಗಿ ನೀಡುವಿಕೆ, ನಿಯಂತ್ರಣ ಮತ್ತು ವ್ಯವಸ್ಥಾಪನೆಯನ್ನು ಉತ್ತಮವಾಗಿ ನಿರ್ವಹಿಸುವ ಹಿತದೃಷ್ಟಿಯಲ್ಲಿ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸುವ ಅಧಿಕಾರಿಗೆ ಅಧಿಕಾರಗಳನ್ನು ಪ್ರತ್ಯಾಯೋಜಿಸಲು ಹಾಗೂ ಪ್ರಸ್ತುತ ಹಣ ಮೌಲ್ಯಕ್ಕೆ ಸಮಾನವಾಗಿ ದಂಡನೆಯ ಮೊತ್ತವನ್ನು ಹೆಚ್ಚಿಸಲು ಉಪಬಂಧ ಕಲ್ಪಿಸುವುದಕ್ಕೆ ಕರ್ನಾಟಕ ರೇಸ್‌ಕೋರ್ಸುಗಳ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ನ್ನು (1952ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ VIII) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ತಿದ್ದುಪಡಿಯು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

©. J¸ï. AiÀÄrAiÀÄÆg¥À
ªÀÄÄRåªÀÄAw

JA.P. «±ÁéÃAiÀÄ
PÁAiÀÄðzÀ²ð (¥)
P£ÁðlP «zsÁ£À ¸À¨sÉ

ಅನುಬಂಧ

ಮೈಸೂರು ರೇಸ್ ಕೋರ್ಸುಗಳ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ರ

(1952 ಮೈಸೂರು ಅಧಿನಿಯಮ VIII) ಉದ್ಧೃತ ಭಾಗ

XXX XXX XXX

4. ಕುದುರೆ ರೇಸ್‌ಗಳಿಗೆ ಪರವಾನಗಿಗಳು.- (1) ಯಾವುದೇ ರೇಸ್‌ಕೋರ್ಸ್‌ನ ಮಾಲೀಕ, ಗುತ್ತಿಗೆದಾರ ಅಥವಾ ಅಧಿಭೋಗದಾರನು ಅಂಥ ರೇಸ್‌ಕೋರ್ಸ್ ಮೇಲೆ ಕುದುರೆ ರೇಸ್‌ಗಾಗಿ ಅಥವಾ ರಾಜ್ಯದೊಳಗಾಗಲೀ ಅಥವಾ ರಾಜ್ಯದ ಹೊರಗಡೆಯಾಗಲೀ ಯಾವುದೇ ಇತರ ರೇಸ್‌ಕೋರ್ಸ್ ಮೇಲೆ ಕುದುರೆ ರೇಸ್ ರನ್ ಮೇಲೆ ಅಂಥ ರೇಸ್‌ಕೋರ್ಸ್‌ನಲ್ಲಿ ಬಾಜಿಕಟ್ಟುವುದನ್ನು ಅಥವಾ ಜೂಜುಕಟ್ಟುವುದನ್ನು ಏರ್ಪಡಿಸುವುದಕ್ಕಾಗಿ ಪರವಾನಗಿ ಪಡೆಯಲು ಸರ್ಕಾರಕ್ಕೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಬಹುದು.

(2) ಸರ್ಕಾರವು ಅಂಥ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಮತ್ತು ತಾನು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಬಹುದಾದ ಅಂಥ ಅವಧಿಗಾಗಿ ಅಂಥ ಪರವಾನಗಿಯನ್ನು ತಡೆಹಿಡಿಯಬಹುದು ಅಥವಾ ಅದನ್ನು ಮಂಜೂರು ಮಾಡಬಹುದು.

(3) ನಿರ್ದಿಷ್ಟವಾಗಿ ಅಥವಾ ಹಿಂದೆ ಹೇಳಿದ ಅಧಿಕಾರದ ಸಾಮಾನ್ಯಾನ್ವಯಕ್ಕೆ ಬಾಧಕವಾಗದಂತೆ, ಅಂಥ ಷರತ್ತುಗಳು ಈ ಮುಂದಿನವುಗಳಿಗಾಗಿ ಉಪಬಂಧ ಕಲ್ಪಿಸಬಹುದು,-

ಎ) ಪರವಾನಗಿ ಶುಲ್ಕದ ಸಂದಾಯ;

ಬಿ) ಬಾಜಿ ತೆರಿಗೆ ಅಧಿನಿಯಮ, 1932ರ ಮೂಲಕ ಅಗತ್ಯಪಡಿಸಲಾದ ಅಂಥ ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ನಿರ್ವಹಿಸುವುದು ಮತ್ತು ಅಂಥ ವಿವರಪಟ್ಟಿಕೆಗಳನ್ನು ಸಲ್ಲಿಸುವುದು;

ಸಿ) ವಿವಿಧ ತಳಿಗಳ ಕುದುರೆಗಳಿಗಾಗಿ ಹಂಚಿಕೆ ಮಾಡಬಹುದಾದ ಬಾಜಿ ಕಟ್ಟಿದ ಮೊತ್ತ;

ಡಿ) ಜಾಕಿಗಳಾಗಬೇಕೆಂಬ ವ್ಯಕ್ತಿಗಳ ತರಬೇತಿಗಾಗಿ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳು;

ಇ) ಭಾರತೀಯ ಸಂಜಾತ ಕುದುರೆಗಳ ಮತ್ತು ಭಾರತೀಯ ಜಾಕಿಗಳನ್ನು ಪ್ರೋತ್ಸಾಹಿಸಲು ಕೈಗೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳು;

ಎಫ್) ಕುದುರೆ-ರೇಸಿಂಗ್ ಅನ್ನು ನಡೆಸುವಲ್ಲಿ ಮತ್ತು ನಿರ್ವಹಿಸುವಲ್ಲಿ ಮೇಲ್ವಿಚಾರಕ ಅಥವಾ ಸದಸ್ಯರನ್ನಾಗಿ ಸರ್ಕಾರವು ನಾಮನಿರ್ದೇಶಿಸಬಹುದಾದ ಅಂಥ ವ್ಯಕ್ತಿಗಳನ್ನು ಸೇರಿಸಿಕೊಳ್ಳುವುದು ಅಥವಾ ಸಂಯೋಜಿಸಿಕೊಳ್ಳುವುದು;

ಜಿ) ಕುದುರೆ-ರೇಸ್‌ನ್ನು ನಡೆಸುವಲ್ಲಿ ಮತ್ತು ನಿರ್ವಹಿಸುವಲ್ಲಿ ಪರವಾನಗಿದಾರನು ಸಂಗ್ರಹಿಸಿದ ಮೊತ್ತದ ಬಳಕೆ;

ಎಚ್) ಸರ್ಕಾರವು ತನ್ನ ಅಭಿಪ್ರಾಯದಲ್ಲಿ, ಪರವಾನಗಿಯಲ್ಲಿ ಉಪಬಂಧವನ್ನು ಮಾಡುವುದು ಅವಶ್ಯಕ ಅಥವಾ ಯುಕ್ತವೆಂದು ಅಭಿಪ್ರಾಯಪಟ್ಟಲ್ಲಿ ಕುದುರೆ ರೇಸ್ ಮತ್ತು ರೇಸ್‌ಕೋರ್ಸ್‌ನ ನಿರ್ವಹಣೆಗೆ ಸಂಬಂಧಿಸಿದ ಅಂಥ ಇತರ ವಿಷಯಗಳು.

(4) ಸರ್ಕಾರವು, ಅಂಥ ಪರವಾನಗಿಯ ಮೂಲಕ, ಪರವಾನಗಿದಾರನಿಗೆ, ಅಂಥ ಪರವಾನಗಿಯಲ್ಲಿ ಸರ್ಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು, ಪರವಾನಗಿದಾರನು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಬಹುದಾದಂತೆ ಪರವಾನಗಿದಾರನಿಗೆ ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡಿದ್ದ ಅವಧಿಗೆ ಮೀರದ ಅಂಥ ಅವಧಿಗಾಗಿ ಯಾವುದೇ ಬುಕ್-ಮೇಕರ್‌ಗೆ ಪರ್ಮಿಟ್ ಅನ್ನು ಮಂಜೂರು ಮಾಡಲು ಅಧಿಕೃತಗೊಳಿಸಬಹುದು.

(5) ಸರ್ಕಾರವು, ಯಾವುದೇ ಸಮಯದಲ್ಲಿ, ಯಾವುದೇ ಪರವಾನಗಿ ಅಥವಾ ಪರ್ಮಿಟ್‌ನಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಯಾವುದೇ ಷರತ್ತುಗಳನ್ನು ಅಮಾನತ್ತುಗೊಳಿಸಬಹುದು, ರದ್ದುಗೊಳಿಸಬಹುದು ಅಥವಾ ಮಾರ್ಪಡಿಸಬಹುದು.

XXX XXX XXX

5. ಪರವಾನಗಿ ಹೊಂದಿಲ್ಲದ ರೇಸ್-ಕೋರ್ಸ‌ನ ಮೇಲೆ ಕುದುರೆ ರೇಸ್‌ನಲ್ಲಿ ಭಾಗವಹಿಸಿದ್ದಕ್ಕಾಗಿ ದಂಡ.- ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡಿಲ್ಲದ ಅಥವಾ 4ನೇ ಪ್ರಕರಣದ ಉಪಬಂಧಗಳಿಗೆ ಅನುಸಾರವಾಗಿ ಮಂಜೂರಾದ ಪರವಾನಗಿ ಜಾರಿಯಲ್ಲಿ ಇಲ್ಲದ ಯಾವುದೇ ರೇಸ್‌ಕೋರ್ಸ್‌ನ ಮೇಲೆ ಯಾವುದೇ ಕುದುರೆ ರೇಸ್‌ನಲ್ಲಿ ಭಾಗವಹಿಸಿದ ಯಾರೊಬ್ಬನು ಐದು ನೂರು ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆಯೊಂದಿಗೆ ದಂಡಿತನಾಗತಕ್ಕದ್ದು.

XXX XXX XXX

6. ಪರವಾನಗಿ ಇಲ್ಲದ ರೇಸ್‌ಕೋರ್ಸ್ ಮೇಲೆ ರೇಸಿಂಗ್ ಅನ್ನು ಅನುಮತಿಸುವ ಮಾಲೀಕ ಮುಂತಾದವರಿಗೆ ದಂಡ.- ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡಿಲ್ಲದ ಅಥವಾ ಮಂಜೂರು ಮಾಡಿದ ಪರವಾನಗಿ ಜಾರಿಯಲ್ಲಿಲ್ಲದೇ ಇರುವಾಗ, ಅಂಥ ರೇಸ್‌ಕೋರ್ಸ್‌ನ ಮಾಲೀಕ, ಗುತ್ತಿಗೆದಾರ ಅಥವಾ ಅಧಿಬೋಗದಾರನು, ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆ ಯೊಂದಿಗೆ ದಂಡತನಾಗತಕ್ಕದ್ದು.

XXX XXX XXX

7. ಪರವಾನಗಿ ಷರತ್ತುಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿದ್ದಕ್ಕಾಗಿ ದಂಡ.- (1) ಪರವಾನಗಿ ಮಂಜೂರಾದ ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯು ಯಾವ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಅಂಥ ಪರವಾನಗಿಯನ್ನು ಮಾಡಲಾಗಿದೆಯೋ ಆ ಯಾವುದೇ ಷರತ್ತುಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿದಲ್ಲಿ, ಅಂಥ ವ್ಯಕ್ತಿಯು, 4ನೇ ಪ್ರಕರಣದ (5)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸರ್ಕಾರವು ತೆಗೆದುಕೊಳ್ಳಬಹುದಾದ ಯಾವುದೇ ಕ್ರಮಕ್ಕೆ ಬಾಧಕವಾಗದಂತೆ ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆಯೊಂದಿಗೆ ದಂಡಿತನಾಗತಕ್ಕದ್ದು.

(2) ಪರವಾನಗಿದಾರನ ಮೂಲಕ ಪರ್ಮಿಟ್‌ನ್ನು ಮಂಜೂರು ಮಾಡಲ್ಪಟ್ಟ ಮತ್ತು ಅಂಥ ಪರ್ಮಿಟನ್ನು ಯಾವ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಮಂಜೂರು ಮಾಡಲಾಗಿದೆಯೋ ಅವುಗಳನ್ನು ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯು ಉಲ್ಲಂಘಿಸಿದಲ್ಲಿ ಆತನು 4ನೇ ಪ್ರಕಣದ (5)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸರ್ಕಾರವು ತೆಗೆದುಕೊಳ್ಳಬಹುದಾದ ಯಾವುದೇ ಕ್ರಮಕ್ಕೆ ಬಾಧಕವಾಗದಂತೆ ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆಯೊಂದಿಗೆ ದಂಡತನಾಗತಕ್ಕದ್ದು.

XXX XXX XXX

8. ಆದೇಶಗಳ ಉಳಿಸುವಿಕೆ.- ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡುವುದು, ತಿರಸ್ಕರಿಸುವುದು ಅಥವಾ ರದ್ದುಮಾಡುವುದು ಮತ್ತು ಪರವಾನಗಿ ಅಥವಾ ಪರ್ಮಿಟ್‌ಅನ್ನು ಯಾವ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಮಂಜೂರು

ಮಾಡಲಾಗಿದೆಯೋ ಆ ಷರತ್ತುಗಳು ಸರ್ಕಾರದ ವಿವೇಚನೆಗನುಸಾರವಾಗಿರತಕ್ಕದ್ದು ಮತ್ತು ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸುವುದಕ್ಕೆ ಹೊಣೆಯಾಗಿರತಕ್ಕದ್ದಲ್ಲ.

XXX XXX XXX

9. ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಅಪರಾಧಗಳು ಸಂಜ್ಞೇಯವಾಗಿರುವುದು.- (1) ಪ್ರಥಮ ದರ್ಜೆ ಮ್ಯಾಜಿಸ್ಟ್ರೇಟ್‌ಗೆ ಕಡಿಮೆಯಲ್ಲಿದ ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿನ ಯಾವುದೇ ಅಪರಾಧವನ್ನು ತಿರ್ಮಾನ ಮಾಡತಕ್ಕದ್ದಲ್ಲ ಮತ್ತು ಸರ್ಕಾರದ ಪೂರ್ವ ಮಂಜೂರಾತಿಯ ಹೊರತು ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಯಾವ ವ್ಯಕ್ತಿಯನ್ನು ಅಭಿಯೋಜನೆಗೆ ಒಳಪಡಿಸತಕ್ಕದಲ್ಲ.

(2) ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿನ ಎಲ್ಲಾ ಅಪರಾಧಗಳನ್ನು ರಾಜಿ ಮಾಡಿಕೊಳ್ಳಬಹುದು.

XXX XXX XXX

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA RACE COURSES LICENSING (AMENDMENT) BILL, 2020
(LA Bill No. 14 of 2020)

A Bill further to amend the Karnataka Race Courses Licensing Act, 1952.

Whereas it is expedient further to amend the Karnataka Race Courses Licensing Act, 1952 (Karnataka Act VIII of 1952) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Race Courses Licensing (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of sections 4.- In the Karnataka Race Courses Licensing Act, 1952 (Karnataka Act VIII of 1952) (hereinafter referred to as the Principal Act), in section 4, after the word "Government", wherever it occurs, the words "or the officer authorised by the Government" shall be inserted.

3. Amendment of section 5.- In section of 5 of the Principal Act, for the words "five hundred rupees", the words "fifty thousand rupees" shall be substituted.

4. Amendment of section 6.- In section 6 of the Principal Act, for the words "one thousand rupees", the words "one lakh rupees" shall be substituted.

5. Amendment of section 7.- In section 7 of the Principal Act,-

(i) in sub-section (1),-

(a) after the word "Government", the words "or the officer authorised by the Government" shall be inserted; and

(b) for the words "one thousand rupees", the words "one lakh rupees" shall be substituted;

(ii) in sub-section (2),-

(a) after the word "Government", the words "or the officer authorised by the Government" shall be inserted; and

(b) for the word "one thousand rupees", the words "one lakh rupees" shall be substituted.

6. Amendment of section 8 – In section 8 of the Principal Act, after the word "Government", the words "or the officer authorised by the Government" shall be inserted.

7. Amendment of section 9 – In section 9 of the Principal Act in sub-section (1) after the word "Government", the words "or the officer authorised by the Government" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Race Courses Licensing Act, 1952 (Karnataka Act VIII of 1952) to make provision to delegate powers to the officer authorised by the Government in the interest of better management of licensing, control and management of horse racing and to enhance the penalty amount on par with the present money value.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

B.S.YEDIYURAPPA
Chief Minister

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE MYSORE RACE COURSES LICENSING ACT, 1952

(Mysore Act VII of 1952)

XXX XXX XXX

4. Licenses for horse - racing.- (1) The owner, lessee or occupier of any race course may apply to the Government for a license for horse racing on such race course 1 {or for arranging for wagering or betting in such race course on a horse race run on some other race course either within the State or outside the State.}

(2) The Government may withhold such licence or grant it subject to such conditions and for such period as they may think fit.

(3) In particular and without prejudice to the generality of the foregoing power, such conditions may provide for.-

a) the payment of a licence fee;
b) the maintenance of such accounts and furnishing of such returns as are required by the Betting Tax Act,1932;
c) the amount of stakes which may be allotted for different kinds of horses;
d) the mesures to be taken for the training of persons to become Jockeys;
e) the measures to be taken to encourage Indian bred horses and Indian Jockeys;

f) the inclusion or association of such pesons as the Government may nominate as Stewards or members in the conduct and management of horse-racing;

g) the utilisation of the amount collected by the licensee in the conduct and management of horse-racing

h) such other matters connected with horse-racing and the maintenance of the race course for which,in the opinion of the Government, it is necessary or expedient to make provision in the licence.

(4) The Government may, by such licence, authorise the licensee to grant, subject to such conditions as may be specifified by the the Government in such licence, a permit to any book-maker for such period not exeeding the period of the licence granted to the licensee as the licensee may think fit.

(5) The Government may, at any time, suspend, cancel, or modify any of the conditions specified in, any licence or permit.

XXX XXX XXX

5. Penalty for taking part in horse race on unlicensed race-course.- whoever takes part in any horse race on any race course for which no license is granted or for which a license granted in accordance with the provisions of section 4 is not in force, shall be punishable with fine which may extend to five hundred rupees.

XXX XXX XXX

6. Penalty for owner, etc, allowing racing on unlicensed race.- has not been granted or for which a license granted is not in force, any person being the owner, lessee or occupier of such race-course, shall be punishable with fine which may extend one thousand rupees.

XXX XXX XXX

7. Penalty for contravening conditions of license.-(1) if any person to whom a licence has been granted contravenes any of the conditions subject to which such license was granted, such person shall, without prejudice to any action that may be taken by the Government under sub-section(5) of section 4, be punishable with fine which may extend to one thousand rupees.

(2) if any person to whom a permit has been granted by a licensee contravenes and of the conditions subject to which such permit was granted, he shall, without prejudice to any action that may be taken by the Government under sub-section (5) of section 4, be punishable with fine which may extend to one thousand rupees.

XXX **XXX** **XXX**

8. Saving of orders.- the granting, refusing or cancellation of a license and the conditions subject to which a license or permit is granted shall be within the discretion of the Government and shall not be liable to be called in question in any court.

XXX **XXX** **XXX**

9. cognizance of offences under the Act,- (1) No court inferior to that of a Magistrate of the First Class, shall try any offence under this Act and no person shall be prosecuted under this Act expect with the previous sanction of the Government.

(2) All offences under this Act shall be compoundable.

PR-112

P£ÁðlP «zÁ£¸¨

ªÉ¢£ÀzÀ£À «zÁ£¸¨

Dg£À C¢ªÁ±£

No: KLA/LGA/15/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020g «zÁ£¸¨AiÀ «zÃAiÄP ¸ASÉ-15)

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ, ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು 2019ರ ನವೆಂಬರ್ 20ರಂದು ಜಾರಿಗೆ ಬಂದಿರುವುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು.

2. 109ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ರಲ್ಲಿ (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) 109ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(1) (1)ನೇ ಉಪಪ್ರಕರಣದ (i)ನೇ ಖಂಡಕ್ಕೆ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"(i) ನಲವತ್ತು ಘಟಕಗಳಿಗಿಂತ ಹೆಚ್ಚಿಲ್ಲದ ವಿಸ್ತೀರ್ಣದ ಭೂಮಿಯನ್ನು ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿಗಾಗಿ;

ವಿವರಣೆ.- "ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿ"ಯು ಸಣ್ಣ ಖನಿಜಗಳ ಗಣಿಗಾರಿಕೆ, ಅದನ್ನು ನಿರ್ದಿಷ್ಟಪಡಿಸಿರಲಿ ಅಥವಾ ನಿರ್ದಿಷ್ಟಪಡಿಸದಿರಲಿ ಮತ್ತು ಕರ್ನಾಟಕ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಘಟಕಗಳ (ಕ್ರಷರ್‌ಗಳ) ನಿಯಂತ್ರಣ ಅಧಿನಿಯಮ, 2011ರ (2012ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ಅಡಿಯಲ್ಲಿನ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಚಟುವಟಿಕೆಯನ್ನು ಒಳಗೊಳ್ಳುತ್ತದೆ.

ಪರಂತು, ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿಯ ಸಂಬಂಧದಲ್ಲಿ, ಕರ್ನಾಟಕ ಕೈಗಾರಿಕೆಗಳ (ಸೌಲಭ್ಯ) ಅಧಿನಿಯಮ, 2002ರ (2003ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 45) ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ರಾಜ್ಯ ಉನ್ನತ ಮಟ್ಟದ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿ ಅಥವಾ ರಾಜ್ಯ ಮಟ್ಟದ ಏಕಗವಾಕ್ಷಿ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿಯ ಅನುಮೋದನೆಯೊಂದಿಗೆ ಸರ್ಕಾರವು ಅನುಮೋದಿಸಿದ ಅಂಥ ಭೂಮಿಯನ್ನು ಅಂಥ ವ್ಯಾಪ್ತಿಯವರೆಗೆ, 63, 79ಎ, 79ಬಿ ಅಥವಾ 80ನೇ ಪ್ರಕರಣಗಳ ಉಪಬಂಧಗಳಿಂದ ಸರ್ಕಾರವು ವಿನಾಯಿತಿಸಿದೆ ಎಂಬುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು."

(2) (2)ನೇ ಉಪಪ್ರಕರಣದ ಪರಂತುಕಕ್ಕೆ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"ಪರಂತು (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅನುಮತಿಯನ್ನು ಪಡೆದ ತರುವಾಯ ಯಾವುದೇ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಯು ಭೂಮಿಯನ್ನು ಖರೀದಿಸಿ ಮತ್ತು ಖರೀದಿಯ ಉದ್ದೇಶಕ್ಕಾಗಿ ಏಳು ವರ್ಷಗಳಿಗೆ ಕಡಿಮೆಯಲ್ಲದಂತೆ ಭೂಮಿಯನ್ನು ಬಳಸಿದ ತರುವಾಯ, ಅಂಥ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಯು ಅದರ ಹತೋಟಿಯಲ್ಲಿರದ ಹಲವಾರು ಕಾರಣಗಳಿಗಾಗಿ ಭೂಮಿಯ ಬಳಕೆಯನ್ನು ಮುಂದುವರೆಸದೇ ಇದ್ದಲ್ಲಿ, ನಿಯಮಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೆ ಅನುಮತಿಸಿದ ಅಂಥ ಖರೀದಿಯ ದಿನಾಂಕದಿಂದ ಏಳು ವರ್ಷಗಳ ತರುವಾಯ, ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿ, ಸರ್ಕಾರವು ಅನುಮತಿಸಿದ ಮೇರೆಗೆ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂಮಿಯನ್ನು ಮಾರಾಟ ಮಾಡಬಹುದು."

3. ನಿರಸನ ಮತ್ತು ಉಳಿಸುವಿಕೆಗಳು.- (1) ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ (ತಿದ್ದುಪಡಿ) ಅಧ್ಯಾದೇಶ, 2019ನ್ನು (2019ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ 3) ಈ ಮೂಲಕ ನಿರಸನಗೊಳಿಸಿದೆ.

(2) ಹಾಗೆ ನಿರಸನಗೊಳಿಸಿದ್ದಾಗ್ಯೂ, ಸದರಿ ಅಧ್ಯಾದೇಶದ ಮೂಲಕ ತಿದ್ದುಪಡಿಗೊಳಿಸಿದಂತೆ ಮಾಡಲಾದ ಯಾವುದೇ ಕಾರ್ಯ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾದ ಯಾವುದೇ ಕ್ರಮವನ್ನು ಈ ಅಧಿನಿಯಮದ ಮೂಲಕ ಮೂಲ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಮಾಡಲಾಗಿದೆ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣಾ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) ಈ ಮುಂದಿನವುಗಳಿಗೆ ಉಪಬಂಧ ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ, ಎಂದರೆ:-

(i) ಕರ್ನಾಟಕ ಕೈಗಾರಿಕೆಗಳ (ಸೌಲಭ್ಯ) ಅಧಿನಿಯಮ, 2002ರ ಅಡಿಯಲ್ಲಿನ ರಾಜ್ಯ ಉನ್ನತ ಮಟ್ಟದ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿ ಅಥವಾ ರಾಜ್ಯ ಮಟ್ಟದ ಏಕಗವಾಕ್ಷಿ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿಯ ಅನುಮೋದನೆಯ ವ್ಯಾಪ್ತಿಯವರೆಗೆ ಕೈಗಾರಿಕಾ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂಮಿಯ ಖರೀದಿಸಲು ಭಾವಿತ ವಿನಾಯಿತಿಯನ್ನು ನೀಡಲು;

(ii) 109ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿಯನ್ನು ಪಡೆದ ಭೂಮಿಯನ್ನು, ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅಂಥ ಭೂಮಿಯನ್ನು ಬಳಸಬಹುದು ಎಂದು ಅನುಮತಿಸಲಾಗಿದೆಯೋ ಆ ಉದ್ದೇಶಕ್ಕಾಗಿ ಏಳು ವರ್ಷಗಳ ಅವಧಿಗಾಗಿ ಬಳಸಿದ ತರುವಾಯ ಆರ್ಥಿಕ ಮುಗ್ಗಟ್ಟನ್ನು ನಿಭಾಯಿಸುವುದಕ್ಕಾಗಿ ಹಿಂದೆ ಅನುಮತಿಸಲಾದ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಇತರ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಗೆ ಮಾರಾಟ ಮಾಡಲು ಅನುಮತಿಯನ್ನು ನೀಡಲು.

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ಕರ್ನಾಟಕ ವಿಧಾನಮಂಡಲದ ಉಭಯ ಸದನಗಳು ಅಧಿವೇಶನದಲ್ಲಿಲ್ಲದಿದ್ದುದರಿಂದ ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧ್ಯಾದೇಶ, 2019ನ್ನು (2019ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ 3) ದಿನಾಂಕ 20.11.2019ರಂದು ಪ್ರಖ್ಯಾಪಿಸಲಾಗಿತ್ತು.

ಸದರಿ ಅಧ್ಯಾದೇಶಕ್ಕೆ ಬದಲಾಗಿ ಈ ವಿಧೇಯಕವನ್ನು ಮಂಡಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

Dgï. C±ÆÃPï
PAzÁAiÀ ªÀÄAw

JA.P. «±Á¯ÁQë
PÁAiÀÄðz²ð (¥)
P£ÁðIP «zÁ£À ¸¨

ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆಯ ಕಾರ್ಯವಿಧಾನ ಮತ್ತು ನಡವಳಿಗಳ 80ನೇ ನಿಯಮದ (1)ನೇ ಉಪನಿಯಮದ ಮೂಲಕ ಅಗತ್ಯಪಡಿಸಲಾದಂತೆ ವಿವರಣಾತ್ಮಕ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣಾ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) ಈ ಮುಂದಿನವುಗಳಿಗೆ ಉಪಬಂಧ ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ, ಎಂದರೆ:-

(i) ಕರ್ನಾಟಕ ಕೈಗಾರಿಕೆಗಳ (ಸೌಲಭ್ಯ) ಅಧಿನಿಯಮ, 2002ರ ಅಡಿಯಲ್ಲಿನ ರಾಜ್ಯ ಉನ್ನತ ಮಟ್ಟದ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿ ಅಥವಾ ರಾಜ್ಯ ಮಟ್ಟದ ಏಕಗವಾಕ್ಷಿ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿಯ ಅನುಮೋದನೆಯ ವ್ಯಾಪ್ತಿಯವರೆಗೆ ಕೈಗಾರಿಕಾ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂಮಿಯ ಖರೀದಿಸಲು ಭಾವಿತ ವಿನಾಯಿತಿಯನ್ನು ನೀಡಲು;

(ii) 109ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿಯನ್ನು ಪಡೆದ ಭೂಮಿಯನ್ನು, ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅಂಥ ಭೂಮಿಯನ್ನು ಬಳಸಬಹುದು ಎಂದು ಅನುಮತಿಸಲಾಗಿದೆಯೋ ಆ ಉದ್ದೇಶಕ್ಕಾಗಿ ಏಳು ವರ್ಷಗಳ ಅವಧಿಗಾಗಿ ಬಳಸಿದ ತರುವಾಯ ಆರ್ಥಿಕ ಮುಗ್ಗಟ್ಟನ್ನು ನಿಭಾಯಿಸುವುದಕ್ಕಾಗಿ ಹಿಂದೆ ಅನುಮತಿಸಲಾದ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಇತರ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಗೆ ಮಾರಾಟ ಮಾಡಲು ಅನುಮತಿಯನ್ನು ನೀಡಲು.

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ ಮತ್ತು ವಿಧಾನ ಪರಿಷತ್ತು ಅಧಿವೇಶನದಲ್ಲಿಲ್ಲದಿದ್ದುದರಿಂದ, ಮೇಲಿನ ಉದ್ದೇಶವನ್ನು ಸಾಧಿಸುವುದಕ್ಕಾಗಿ, ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧ್ಯಾದೇಶ, 2019ನ್ನು (2019ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ 3) ಪ್ರಖ್ಯಾಪಿಸಲಾಗಿತ್ತು.

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ರ (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10)

ಉದ್ಧೃತ ಭಾಗ

XX XX XX

109. ಕೆಲವು ಭೂಮಿಗಳಿಗೆ ಕೆಲವು ಉಪಬಂಧಗಳಿಂದ ವಿನಾಯಿತಿ.- (1) ನಿಯಮಿಸಬಹುದಾದಂಥ ನಿಯಮಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ನಗರ ಮತ್ತು ಗ್ರಾಮೀಣ ಯೋಜನಾ ಅಧಿನಿಯಮ, 1961ರ (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ಉಪಬಂಧಗಳಿಗೆ ಒಳಪಟ್ಟು, ರಾಜ್ಯ ಸರ್ಕಾರವು, ಅಧಿಸೂಚನೆಯ ಮೂಲಕ,-

(i) ನಲವತ್ತು ಘಟಕಗಳಿಗಿಂತ ಹೆಚ್ಚಿಲ್ಲದ ವಿಸ್ತೀರ್ಣದ ಭೂಮಿಯನ್ನು ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿಗಾಗಿ;

ವಿವರಣೆ.- "ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿ"ಯು ಸಣ್ಣ ಖನಿಜಗಳ ಗಣಿಗಾರಿಕೆ, ಅದನ್ನು ನಿರ್ದಿಷ್ಟಪಡಿಸಿರಲಿ ಅಥವಾ ನಿರ್ದಿಷ್ಟಪಡಿಸದಿರಲಿ ಮತ್ತು ಕರ್ನಾಟಕ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಘಟಕಗಳ (ಕ್ರಷರ್‌ಗಳ) ನಿಯಂತ್ರಣ ಅಧಿನಿಯಮ, 2011ರ (2012ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ಅಡಿಯಲ್ಲಿನ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಚಟುವಟಿಕೆಯನ್ನು ಒಳಗೊಳ್ಳುತ್ತದೆ.

XX XX XX

(2) ಉಪಪ್ರಕರಣ (1)ರ ಮೇರೆಗೆ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಯಾವುದೇ ಷರತ್ತನ್ನು ಅಥವಾ ನಿರ್ಬಂಧವನ್ನು ಉಲ್ಲಂಘಿಸಿದರೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರ ಜಿಲ್ಲಾಧಿಕಾರಿಯವರು ಅದು ಅಥವಾ ಅವರು ಸೂಕ್ತವೆಂದು ಭಾವಿಸುವಂಥ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಿದ ಮೇಲೆ ಆ ಉಪಪ್ರಕರಣದ ಮೇರೆಗೆ ನೀಡಿರುವ ವಿನಾಯಿತಿಯನ್ನು ರದ್ದುಪಡಿಸಬಹುದು ಮತ್ತು ಯಾವ ಭೂಮಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ವಿನಾಯಿತಿಯನ್ನು ಹಾಗೆ ರದ್ದುಪಡಿಸಲಾಗಿದೆಯೋ ಆ ಭೂಮಿಯನ್ನು ದಂಡವನ್ನಾಗಿ ಮುಟ್ಟುಗೋಲು ಹಾಕಿಕೊಳ್ಳತಕ್ಕದ್ದು ಮತ್ತು ಅದು ಎಲ್ಲಾ ಋಣಭಾರಗಳಿಂದ ಮುಕ್ತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದಲ್ಲಿ ನಿಹಿತವಾಗತಕ್ಕದ್ದು, ಆ ಭೂಮಿಗೆ ಯಾವುದೇ ಹಣವನ್ನು ಸಂದಾಯಮಾಡಬೇಕಾಗಿಲ್ಲ.

ಪರಂತು, ಯೋಜನೆಯ ವಿಸ್ತರಣೆಯ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅಥವಾ ಆರ್ಥಿಕ ಮುಗ್ಗಟ್ಟನ್ನು ನಿಭಾಯಿಸುವುದಕ್ಕಾಗಿ ಅಥವಾ ಭೂಮಿಯ ಬಳಕೆಯನ್ನು ಬದಲಾಯಿಸುವುದಕ್ಕಾಗಿ ಯಾವುದೇ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಯು, 109ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅನುಮತಿಯನ್ನು ಪಡೆದ ದಿನಾಂಕದಿಂದ ಏಳು ವರ್ಷಗಳ ಅವಧಿಯ ತರುವಾಯ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿದಾಗ, ಅದನ್ನು ಸರ್ಕಾರದ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಯವರು ಮುಖ್ಯಸ್ಥರಾಗಿರುವ ಉನ್ನತಾಧಿಕಾರ ಸಮಿತಿಯು, ಸಂದರ್ಭಾನುಸಾರ ಪ್ರಕರಣದ ಆಧಾರದ ಮೇಲೆ ಯುಕ್ತವೆಂದು ಭಾವಿಸಲಾದ ಷರತ್ತುಗಳಿಗೊಳಪಟ್ಟು ಪರಿಗಣಿಸತಕ್ಕದ್ದು.

XX XX XX

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA LAND REFORMS (AMENDMENT) BILL, 2020
(LA Bill No. 15 of 2020)

A Bill further to amend the Karnataka Land Reforms Act, 1961.

Whereas it is expedient to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Actmay be called the Karnataka Land Reforms (Amendment) Act, 2020.

(2) It shall be deemed to have come into force with effect from 20th November 2019.

2. Amendment of section 109.- In the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), (hereinafter referred to as principal Act) in section 109,-

(1) in sub-section(1), for clause (i), the following shall be substituted, namely:-

"(i) industrial development, the extent of which shall not exceed forty units;

Explanation.-Industrial development" includes mining of minor minerals, whether specified or non-specified and stone crushing activity under the Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 8 of 2012)

Provided that in respect of Industrial development,such Land to such extent approved by the Government with approval of the State High level clearance committee or the State level single window clearance committee constituted under the Karnataka Industries (facilitation) Act, 2002 (Karnataka Act 45 of 2003) shall be deemed to have exempted by the Government from the provisions of section 63, 79A, 79B or 80."

(2) In sub-section (2), for the proviso, the following shall be substituted, namely:-

"Provided that, any company or organization after obtaining permission under sub-section (1), purchases the land and if such company or organization after utilizing the land for not less than seven years for the purpose of purchase, does not continue to use the land due to various reasons which are beyond its control, after seven years so permitted under rules from the date of such purchase, may on an application be permitted, by the Government, for sale of the land for the same purpose."

3. Repeal and savings.-(1)The Karnataka Land Reforms (Amendment) Ordinance, 2019(Karnataka Ordinance 3 of 2019) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) to provide for,-

(i) deemed exemption to purchase Land for Industrial purpose to the extent approved by the State High Level Clearance Committee or the State Level Single Window Clearance Committee under the Karnataka Industrial (Facilitation) Act, 2002.

(ii) permission for sale of the lands exempted under section 109 after utilizing such land for the period of seven years for the purpose for which it was permitted to tide over the financial crisis to other company or organization for the same purpose to which it was permitted earlier.

As the matter was urgent and both houses of the Karnataka state legislature were not in a session, the Karnataka Land Reforms (Amendment) Ordinance 2019 (Karnataka Ordinance 3 of 2019) was promulgated on 20.11.2019

This Bill seeks to replace the said Ordinance.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

R. ASHOKA
Minister for Revenue

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

Explanatory Statement as required by sub-rule (1) of rule 80 of the Rules of procedure and conduct of Business in the Karnataka Legislative Assembly.

It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), to provide for,-

(i) deemed exemption to purchase Land for Industrial purpose to the extent approved by the State High Level Clearance Committee or the State Level Single Window Clearance Committee under the Karnataka Industrial (Facilitation) Act, 2002.

(ii) permission for sale of the lands exempted under section 109 after utilizing such land for the period of seven years for the purpose for which it was permitted to tide over the financial crisis to other company or organization for the same purpose to which it was permitted earlier.

Since the matter was urgent and the Karnataka Legislative Assembly and the Karnataka Legislative Council were not in session, the Karnataka Land Reforms (Amendment) Ordinance,2019(Karnataka ordinance 3 of 2019) was promulgated to achieve the above object.

ANNEXURE

XX XX XX

109. Certain lands to be exempt from certain provisions.—(1) Subject to such rules as may be prescribed and the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the State Government may, by notification, exempt, any land in any area from the provisions of sections 63, 79A, 79B or 80 to be used for,—

(i) industrial development, the extent of which shall not exceed forty units

Explanation.- "Industrial development" includes mining of minor minerals, whether specified or non-specified and stone crushing activity 1962: KAR. ACT 10] Land Reforms 115 under the Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 8 of 2012)

XX XX XX

(2) Where any condition or restriction specified in the notification under sub-section (1), has been contravened, the State Government or as the case may be, the Deputy Commissioner may after holding an enquiry as it or he deems fit, cancel the exemption granted under that sub-section and the land in respect of which such cancellation has been made, shall, as penalty be forfeited to and vest in the State Government free from all encumbrances. No amount is payable therefore.

Provided that, any of the Company or Organization, after a period of seven years from the date of obtaining permission under section 109, for the purpose of expansion of project or to tide over the financial crisis or for changing of land usages, submit application, which shall be considered by the High Power Committee headed by the Chief Secretary to Government subject to such conditions as deemed fit on case to case basis.

XX XX XX

PR-113

P£ÁðlP ¸PÁðg

¸ASÉ: C¥fA 223 E¦¹ 2018

P£ÁðlP ¸PÁðgz ¸aªÁ®AiÀ,
§ºÀªÀĺrU¼ PÀlq,
¨sÉAU¼ÀÆgÀ, ¢£ÁAP:30.12.2019.

C¢¸ÆZ£

¸PÁðgz C¢¸ÆZ£ ¸ASÉ: C¥fA 230 E¦¹ 2017, ¢£ÁAP: 05.03.2019gÀAv, ²Ã ¹. dAiÀÄgÁªÀiï, ¨sÁ.C.¸Ã. (¤ªÀÈv), £A. 41, JA.¹.JZï.J¸ï., 14£Ã ªÀÄÄRå g¸, 4£Ã ¸Pgï, JZï.J¸ï.Dgï. ¯ÃOmï, ¨sÉAU¼ÀÆgÀ-560103 EªÀg£ÀÄß d® (ªÀiÁ°£Àå ¤ªÁgu ªÀÄvÀÄ ¤AiÀÄAvt) PÁAiÀÄ, 1974 g C£ÀÄZÉÒÃz 4(2) g£AiÀÄ vPt¢Az eÁjU §gÀĪÀAv ªÀÄÆgÀÄ ªµðU¼ CªÀ¢U P£ÁðlP gÁdå ªÀiÁ°£Àå ¤AiÀÄAvt ªÀÄAq½AiÀÄ CzsÀåPÀgÀ£ÁßV £ÁªÀÄ ¤zÃð±£ ªÀiÁq¯ÁVvÀÄ.

Dzg, ²Ã ¹. dAiÀÄgÁªÀiï gªÀgÀ ¤Ãrz gÁfÃ£ÁªÀÄAiÀÄ£ÀÄß CAVÃPj¹z ¸PÁðg C¢¸ÆZ£ ¸ASÉ: C¥fÃ 230 E¦¹ 2017, ¢£ÁAP: 20.06.2019gÀAv d® (ªÀiÁ°£Àå ¤ªÁgu ªÀÄvÀÄ ¤AiÀÄAvt) PÁAiÀÄ, 1974 g ¸P£ï 4(2) g£AiÀÄ vPt¢Az eÁjU §gÀĪÀAv ªÀÄvÀÄ ªÀÄÄA¢£ DzÃ±zªÀgU ºÁUÆ d® (ªÀiÁ°£Àå ¤ªÁgu ªÀÄvÀÄ ¤AiÀÄAvt) PÁAiÀÄ, 1974g P®A 5 (6) g£AiÀÄ ¨sÁQ G½¢gÀĪÀ CªÀ¢U CAzg Ujµ ¢£ÁAP: 04.03.2022 gªÀgU, Ezg° AiÀiÁªÀÅzÀ ªÆz®Ä C°AiÀĪÀgU P£ÁðlP gÁdå ¥j¸g ªÀiÁ°£Àå ¤AiÀÄAvt ªÀÄAq½AiÀÄ CzsÀåPÀgÀ£ÁßV ¸A¥ÀÄl zeðAiÀÄ ¸ÀÆ£ªÀiÁ£zÆA¢U qÁ: P. ¸ÄzÁPgï, ªÀiÁf ±Á¸PgÀ, ¥gÀ¸Az UÁªÀÄ ªÀÄvÀÄ CAZ, ªÀÄÄrP®Ä ºÆÃ§½, aPÀ§¼ÁÀ¥Ág vÁ®ÆPÀ, aPÀ§¼ÁÀ¥Ág f¯ £ÁªÀÄ ¤zÃð±£ ªÀiÁq¯ÁVvÀÄ.

qÁ: P. ¸ÄzÁPgï gªÀg gÁfÃ£ÁªÀĬÀÄAz vgªÁz ¸ÀÜ£PÉ ¸PÁðgz C¢¸ÆZ£ ¸ASÉ: C¥fÃ 230 E¦¹ 2017 (ii), ¢£ÁAP:21.09.2019gÀAv d® (ªÀiÁ°£Àå ¤ªÁgu ªÀÄvÀÄ ¤AiÀÄAvt) PÁAiÀÄ, 1974 g ¸P£ï 4(2) g£AiÀÄ P£ÁðlP gÁdå ªÀiÁ°£Àå ¤AiÀÄAvt ªÀÄAq½AiÀÄ CzsÀåPÀgÀ£ÁßV qÁ: ¸A¢Ã¥ï zª, ¨sÁ.D.¸Ã., ¸PÁðgz C¥g ªÀÄÄRå PÁAiÀÄðz²ðU¼À, Cgtå, fÃ«¥j¹Üw ªÀÄvÀÄ ¥j¸g E¯ÁS EªÀg£ÀÄß ªÀÄÄA¢£ DzÃ±zªÀgU £ÁªÀÄ ¤zÃð±£ ªÀiÁr DzÃ²¸¯ÁVvÀÄ.

¥¸Àv, qÁ|| JA. ¸Ä¢ÃAz gÁªï, £A. 251/14, 7£Ã J ªÀÄÄRå g¸, 7£Ã PÁ¸ï, Dgï.¦.¹ ¯ÃOmï, «dAiÀÄ£Ug 2£Ã ºAv, ¨sÉAU¼ÀÆgÀ- 560040 EªÀg£ÀÄß d® (ªÀiÁ°£Àå ¤ªÁgu ªÀÄvÀÄ ¤AiÀÄAvt) PÁAiÀÄ, 1974 g C£ÀÄZÉÒÃz 4(2) g£AiÀÄ vPt¢Az eÁjU §gÀĪÀAv ªÀÄvÀÄ ªÀÄÄA¢£ DzÃ±zªÀgU ºÁUÆ d® (ªÀiÁ°£Àå ¤ªÁgu ªÀÄvÀÄ ¤AiÀÄAvt) PÁAiÀÄ, 1974g P®A 5 (6) g£AiÀÄ ¨sÁQ G½¢gÀĪÀ CªÀ¢U CAzg Ujµ ¢£ÁAP:04.03.2022 gªÀgU, Ezg° AiÀiÁªÀÅzÀ ªÆz¯Æ C°AiÀĪÀgU P£ÁðlP gÁdå ªÀiÁ°£Àå ¤AiÀÄAvt ªÀÄAq½AiÀÄ CzsÀåPÀgÀ£ÁßV £ÁªÀÄ ¤zÃð±£ ªÀiÁr DzÃ²¸¯ÁVz.

F £ÁªÀÄ ¤zÃð±£PÉ ¸A§A¢¹z µgvÀÄ ªÀÄvÀÄ ¤§Az£U¼ DzÃ±ª£ÀÄß ¥vÀæPªÁV ºÆgr¸¯ÁUÄªÀÅzÀÄ.

P£ÁðlP gÁdå¥Á®g DzÃ±Á£ÀĸÁg
ªÀÄvÀÄ Cªg º¸j£°

(ªÀÄÄg½Ãzg J¸ï. v½PÃj)
¸PÁðgz C¢Ã£ PÁAiÀÄðz²ð,
Cgtå, fÃ«¥j¹Üw ªÀÄvÀÄ ¥j¸g E¯ÁS
(fÃ«¥j¹Üw ªÀÄvÀÄ ¥j¸g).

P£ÁðlP «zsÁ£À¸À¨sÉ
ºÉÆ£ÀßzÀ£À «zsÁ£À¸À¨sÉ
Dg£Éà CªÀ±À£

No: KLA/LGA/16/Bill/2020,Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

¸ªðd PÃv C©ªÈ¢ ¥Á¢PÁg «zÃAiÀP, 2020

(2020g «zÁ£À¸¨AiÀ «zÃAiÀP ¸ASÉå-16)

¸ªðd£ d£À¸ÀASÉå ¸ÃjzAv ºÁªÃj f¯AiÀº£ »gÃPgÆgÀ vÁ®ÆQ£ »gÃPgÆgÀ, C§®ÆgÀ ªÀvÀ ªiÁ¸ÆgÀ Eº ªÀvÀ Ezg ¸ÀvªÀÄv®Ä EgÀª ¸ªðd PÃvz C©ªÈ¢ ªÀvÀ ¤ªðºuUÁV MAzÀ ¥Á¢PÁgª£À߀ ¸Á¦¸ÀªÀzPÁV G¥§Az Pº¸®Ä MAzÀ «zÃAiÀP.

¸ªðd£ d£À¸ÀASÉå ¸ÃjzAv ºÁªÃj f¯AiÀº£ »gÃPgÆgÀ vÁ®ÆQ£ »gÃPgÆgÀ, C§®ÆgÀ ªÀvÀ ªiÁ¸ÆgÀ Eº ªÀvÀ Ezg ¸ÀvªÀÄv®Ä EgÀª ¸ªðd PÃvª£À߀ CAvggÁ¶ÃAiÀ AiiÁvÁ¸À¼, ¸ÁA¸ÀÌwP ªÀvÀ ¥ªÁ¸ÆÃzªÀ PÃAzªÁV C©ªÈ¢¥r¸®Ä ªÀvÀ ¤ªð»¸®Ä MAzÀ ¥Á¢PÁgª£À߀ ¸Á¦¸ÀªÀzPÁV G¥§Az Pº¸ÀªÀzÀ AiÀÄÄPªÁVgÀªÀzjAz;

EzÀ ¨Ágv UtgÁdåz J¥vÆAz£Ã ªµðzº PÉÆÁðlP gÁdå «zsÁ£ªÀAq®¢Az F ªÀÄÄA¢£Av C¢¤AiÀ«ÄvªÁUvPzÀ.

CzsÁåAiÀ - I

¥ÁgA©P

1. ¸AQë¥ ºÉ¸gÀ ªÀvÀ ¥ÁgA¨.- (1) F C¢¤AiÀªÀª£À߀ ¸ªðd PÃv C©ªÈ¢ ¥Á¢PÁg C¢¤AiÀªÀ, 2020 JAzÀ PgAiÀvPzÀ.

(2) EzÀ, gÁdå ¸PÁðgª ¸PÁðj gÁdå¥vzº C¢¸ÆZ£AiÀ ªÀÄÆ®P UÆvÀ¥r¸§ºÀzÁz CAx ¢£ÁAP¢Az eÁjU §gvPzÀ.

2. ¥jªÁµU¼À.- F C¢¤AiÀªÀzº, ¸Az¨ðªÀ C£ÀxÁ CUvÀ¥r¹z ºÆgvÀ,-

(J) "¸ËPAiÀð" JA§Àzgº g¸, ©Ã¢U¼À, ¸ÄgAU ªiÁUðU¼À, ¢Ã¥z ªÀª¸À, ZgAr ªÀª¸À, £ÀªÀðºÃPgt, «zÀåZÀQ ªÀvÀ ¤ÃgÀ ¸g§gÁdÀ CxªÁ Evg C£ÃPÆ®vU¼À, ¯ÆÃPÆÃ¥AiÆÃV PÁªÀÄUÁjU¼À, ªiÁgÄPm ¸À¼U¼À, CAZ PZÃjU¼À, ¨ÁAPÄU¼À, D¸vU¼À, aQvÁ®AiÀÄU¼À, ¥Æº¸ï oÁuU¼À, £ÁAiÀ¨¯ CAUrU¼À, ºÁº£ §ÆvÄU¼À, UAxÁ®AiÀÄU¼À, ªÃ£gAd£Á PÃAzU¼À, ¥Á¢PÁgªÀ C¢PÈvUÆ½¹z AiiÁªÀzÃ ¸ªðd¤P G¥AiÀÄP ¸ÃªAiÀ ¸ÃªÁ PÃAzU¼À Cxª Evg ¸Ë®¨ÄU¼À ¸ÃjPÆ¼Àvª; ªÀvÀ gÁdå ¸PÁðgª C¢¸ÆZ£AiÀ ªÀÄÆ®P ¤¢ðµ¥r¸§ºÀzÁz CAx Evg ¸ËPAiÀðU¼£À߀ M¼UÆ¼Àvz;

(©) "¥Á¢PÁg" JAzg, 3£Ã ¥Pgtz CrAiÀº gZ£AiiÁz ¸ªðd PÃv C©ªÈ¢ ¥Á¢PÁg;

(¹) "CzsP" JAzg, ¥Á¢PÁgz CzsP;

(r) "DAiÀÄP" JAzg, 10£Ã ¥Pgtz CrAiÀº £ÃªÀPUÆAq ¥Á¢PÁgz DAiÀÄP;

(E) "¤¢" JAzg, ¥Á¢PÁgz ¤¢;

(J¥ï) "¸PÁðg" JAzg, PÉÆÁðlP ¸PÁðg;

(f) ``¸ªðd PÃv'' JAzg, ¥ÁaÃ£ ¸ÁgPÀ ªÄvÀ LwºÁ¹P ¸¼ÀU¼À ºÁUÆ Cª±ÃµÀU¼ C¢¤AiÀªÀ, 1958g (1958g PÃAz C¢¤AiÀªÀ ¸AS 24) CrAiÀ° ¸AgQv ¥zÃ±ªAzÀ G¯ÃT¸¯Áz ¥zÃ±ª£À ºÆgvÀ¥r¹ C£À¸ÆaAiÀ° ¤¢ðµ¥r¹z vÁtU¼£À M¼UÆ¼Àª ¸A¥Ætð ¥zÃ± ªÄvÀ gÁd ¸PÁðgª C¢¸ÆZ£AiÀ ªÀÆ®P WÆÃ¶¸§ºÀzÁz CAx Evg ¥zÃ±U¼À;

(ºZï) ``¸z¸'' JAzg, ¥Á¢PÁgz M§ ¸z¸;

(L) ``«¤AiÀªÀU¼À'' JAzg, 42£Ã ¥Pgtz CrAiÀ° ga¹z ¥Á¢PÁgz «¤AiÀªÀU¼À;

(e) ``C£À¸Æa'' JAzg, F C¢¤AiÀªÀP ®Uw¹z C£À¸Æa.

CzÁAiÀ - II
¥Á¢PÁg ªÄvÀ Czg GzÆÃVU¼À

3. ¸ªðd PÃv C©ª¢ ¥Á¢PÁg.Š (1) gÁd ¸PÁðgª, F C¢¤AiÀªÀz ¥ÁgA¨z vgÀªÁAiÀ ಆದಷ್ಟು ಬೇಗನೆ, ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳಿಗಾಗಿ ¸ªðd PÃv C©ª¢ ¥Á¢PÁg JAzÀ PgAiÀ¯ÁUÀª MAzÀ ¥Á¢PÁgª£À ga¸vPzÀ.

(2) ¥Á¢PÁgª PÁ®PÁ®P ¤zðj¸§ºÀzÁz CAx ¸¼z° v£ PÃAz PÁAiÀð¸Á£ª£À ¥Á¢PÁgª ºÆA¢gvPzÀ.

(3) ¥Á¢PÁgª, ±Á±v GvgÁ¢PÁg ªÄvÀ ¸ÁªiÁ£ ªÆºg£À ºÆA¢gÀª, Zg ªÄvÀ ¹g ¸vÀU¼gq£À Dfð¸Àª, zÁgt ªiÁqÀª ªÄvÀ «¯ ªiÁqÀª ºÁUÆ PgÁgÀ ªiÁrPÆ¼Àª C¢PÁgª£À ºÆA¢gÀª, ªÀÄ¯ ºÃ½z º¸j£ MAzÀ ¤U«Äv ¤PÁAiÀªÁVgvPzÀ ªÄvÀ ¸zj º¸j¤Az zÁª ºÆqvPzÀ ªÄvÀ zÁªU UÀjAiiÁUvPzÀ.

(4) ¥Á¢PÁgª F ªÀÄA¢£ ¸z¸g£À M¼UÆArgvPzÀ, JAzg:Š

(J) ªAAR ªAAwAiÀªgÀ CzPgAVgvPzÀ;

(©) ºAªAj f¯AiÀ G¸AªAjAiÀ°gÀª ªAAwU¼A G¥AzPgAVgvPzÀ;

(¹) P£q ªAvA ¸A¸w ªAAwU¼A	- ¸z¸gA
(r) PAzAAiA ªAAwU¼A	- ¸z¸gA
(E) ºtPA¸A ªAAwU¼A	- ¸z¸gA
(J¥ï) ¥ªA¸ÆAzªA ªAAwU¼A	- ¸z¸gA
(f) ¯ÆAPÆA¥AiÆAV ªAAwU¼A	- ¸z¸gA
(JZï) ¸ªðd PAvª£À ¨AU±: CxªA ¸A¥Ætðª AV ¥w¤¢¸Aª ¯ÆAP¸¨A ªÄvÀ «zÁ£¸¨AiÀ ¸z¸gÀ ºÁUÆ ¸ªðd PÃvz° ªÄvzÁggÁV £ÆÃAzÁ¬ÄvgÁz gÁd¸¨AiÀ ªÄvÀ «zÁ£ ¥jµw£ ¸z¸gÀ.	- ¸z¸gA
(L) ¸PAðgz ¥zA£ PAAiAðz²ð CxªA PAAiAðz²ð, P£q ªAvA ¸A¸w E¯ÁS.	-¥z¤«Av ¸z¸gA
(e) ¸PAðgz ¥zA£ PAAiAðz²ð CxªA PAAiAðz²ð, PAzAAiA E¯ÁS.	- ¥z¤«Av ¸z¸gÀ
(P) ¸PAðgz C¥g ªAAR PAAiAðz²ð CxªA ¥zA£ PAAiAðz²ð CxªA PÁAiÀðz²ð, ºtPÁ¸Ã E¯ÁS.	- ¥z¤«Av ¸z¸gÀ
(J¯ï) ¸PAðgz ¥zA£ PAAiAðz²ð CxªA PAAiAðz²ð, UÁ«ÄÃuÁ©ª¢ ªÄvÀ ¥AZÁAiÀvï gÁeï E¯ÁS.	- ¥z¤«Av ¸z¸gÀ
(JA) ¸PAðgz ¥zA£ PAAiAðz²ð CxªA PAAiAðz²ð, ¯ÆÃPÆÃ¥AiÆÃV E¯ÁS.	- ¥z¤«Av ¸z¸gÀ
(J£ï) ¨¼UA« ¥zA±z ¥AzA²P DAiAAPgA.	- ¥z¤«Av ¸z¸gÀ

(M) ºÀªÀj f¯ÁèA f¯ÁèPÀj. – ¥Àz¤«Äv ¸Àz¸ÀågÀ

(¦) ¤zÉð±ÀPÀgÀÄ, ¥ÀAZÁAiÀÄvï gÁeï ªÀÄvÀÄÛ ªÀ¸ÀwAiÀÄ ¸ÀAUÀæºÀuÉ E¯ÁSÉ. – ¥Àz¤«Äv ¸Àz¸ÀågÀ

(PÉ) dAn ¤zÉð±ÀPÀgÀÄ, P£ÁðlPÀ ¨sÀÆ¸ÀA£À ¤UÀªÀÄ. – ¥Àz¤«Äv ¸Àz¸ÀågÀ

(Dgï) ªÀÄÄRå PÁAiÀÄð¤ªÁðºÀuÁ¢PÁj, f¯Áè ¥ÀAZÁAiÀÄvï, ºÀªÀj – ¥Àz¤«Äv ¸Àz¸ÀågÀ

(J¸ï) PÁAiÀÄð¤ªÁðºÀP C©üAiÀÄAvÀgÀgÀÄ, ¯ÉÆÃPÉÆÃ¥ÀAiÉÆÃV E¯ÁSÉ, ºÀªÀj. – ¥Àz¤«Äv ¸Àz¸ÀågÀ

(n) C§PÁjÃgÀÄ ªÀÄvÀÄÛ ªÀiÁ¸ÉgÀÄ UÁæ¥ÀAZÁAiÀÄwAiÀÄ CzsåPÀgÀÄ. – ¥Àz¤«Äv ¸Àz¸ÀågÀ

(AiÀÄÄ) gÁdå ¸PÁðgÀªÀÅ £ÁªÀÄ¤zÉð²¹z ªÀÄÆªÀgÀÄ £ÁUÀjÃPÀgÀ «ÄAgÀz ¸PÁðgÀvÀgÀ ¸Àz¸ÀågÀÄ. – ¸PÁðgÉvÀgÀ ¸Àz¸ÀågÀ

(«) gÁdå ¸PÁðgÀªÀÅ £ÁªÀÄ¤zÉð²¸¨sÀPÀz, ¸ªÀðd£À EwºÁ¸À ªÀÄvÀÄÛ ¥ÀgÀ¥ÀgÀAiÀÄ PÀÄjvÀÄ vÀdÕgÁVgÀÄªÀ Lªg£ÀÄ «ÄÃgz ªÀÄQÌ¼ÀÄ. – ¸PÁðgÉvÀgÀ ¸Àz¸ÀågÀ

(q§Æ) ¥À¢PÀgz DAiÀÄÄPÀgÀÄ. – ¸z¸ÀåPÁAiÀÄðzÀ²ð

4. ಪದಾವಧಿ ಮತ್ತು ಸೇವಾ ಷರತ್ತುಗಳು.– (1) gÁdå ¸PÁðgz EZÀÜÉ¼À¥ÀlÄ, gÁdå ¸PÁðgÀªÀÅ ನಾಮನಿರ್ದೇಶಿಸಿದ ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು ಮೂರು ವರ್ಷಗಳ ಅವಧಿಗೆ ಪದಧಾರಣ ಮಾಡತಕ್ಕದ್ದು.

(2) AiÀiÁªÀÇ§ ¸PÁðgÃvg ¸z¸Àå£À vÀ£Àß ¸-º¸¢Az gÁdå ¸PÁðgPÀ §gÀAiÀÄÄª ªÀÄÆ®P vÀ£Àß ¥zPÀ gÁfÃ£ÁªÀÄAiÀÄ£ÀÄß ¤Ãq§ºÀÄzÀÄ. Dzg C¸ª£ gÁfÃ£ÁªÀÄAiÀÄÄ CAVÃPÁgÀªÁUÀÄªÀªgÉUÉ ¥zzº ªÀÄÄAzÀªgÀAiÀÄvPÀÌzÀÄ.

(3) ¤AiÀÄ«Ä¸§ºÀÄzÁz CAx ¨vÀÄU¼£ÀÄß ¸PÁðgÃvg ¸Àz¸ÀågÀÄ ¥qAiÀÄvPÀÌzÀÄ.

5. ¸Àz¸ÀåvÀé ¥zPÀ C£ÀºðvÉU¼ÀÄ.Š ¸PÁðgÃvg ¸Àz¸ÀågÀ,Š

(J) gÁdå ¸PÁðgz C©¥ÁAiÀÄzÀ° £ÉwP CzsB¥v£ª£ÉÆ¼ÀUÉÆ¼ÀÄîª MAzÀÄ C¥gÁzPÁÌV C¥gÁ¢ JAzÀÄ ¤tðÃv£ÁVzÀÝ PÁgÁªÁ¸z ²PÉë UÀÄjAiÁVzÀÝg; Cxªà

(©) C¸¸ÀÜ avzª£ÁVzÀÝg ªÀÄvÀÄÛ ºÁUAzÀÄ ¸PªÀÄ £ÁåAiÀiÁ®AiÀÄ¢Az WÉÆÃ¶v£ÁVzÀÝg; Cxªà

(¹) C«ªÀÄÄP ¢ªÁ½AiÀiÁVzÀÝg; Cxªà

(r) PÃAz ¸PÁðgz Cxªà gÁdå ¸PÁðgz Cxªà PÃAz ¸PÁðg Cxªà gÁdå ¸PÁðgÀªÀÅ Mqv£ ºÉÆ¢gÀÄª Cxªà ¤AiÀÄAvÀt ºÉÆ¢gÀÄª MAzÀÄ ¸A¸ÉÜ Cxªà ¤UÀªÀÄz ¸ÃªÉ¬ÄAz vUzÀÄ ºÁQzª£ÁVzÀÝg Cxªà ªeÁ ªiÁrzª£ÁVzÀÝg; Cxªà

(E) ¥Á¢PÁgz DzÃ±¢Az ªiÁq¯Áz AiÀiÁªÀÅzÃ PÁAiÀÄðzº Cxªà ¥Á¢PÁgzÉq£ Cxªà Czg CrAiÀÄ° Cxªà Czg ªÀÄÆ®P Cxªà Czg ¥gªÁz AiÀiÁªÀÅzÃ PgÁgÀÄ Cxªà ¤AiÉÆÃd£AiÀÄ° ¸vB Cª£À Cxªà ¥Á®ÄzÁg£ÁV ¥vPÀ Cxªà ¥gÉÃPªÁV AiÀiÁªÀÅzÃ ಷೇರನ್ನು ಅಥವಾ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿದ್ದರೆ; ಅಥವಾ

(J¥ï) ¥Á¢PÁgz ¥gªÁV ªÀÄv£ ¥qAiÀÄÄª £ÁåAiÀÄªÁ¢AiÀiÁV ¤AiÉÆÃfv£ÁVzÀÝg Cxªà ¥Á¢PÁgz «gÀÄzÀÞªÁV £ÁåAiÀÄªÁ¢AiÀÄ ¤AiÉÆÃd£AiÀÄ£ÀÄß M¦PÉÆArzÀÝg,

Š Cª£ÀÄ ¸Àz¸Àå£ÁV £ÉÃªÀÄP ºÉÆAz®Ä Cxªà ¸Àz¸Àå£ÁVgÀ®Ä C£ÀºðÀ£ÁVgÀvÀPÀÌzÀÄ:

¥gÀAvÀÄ, M§â ªÀåQÛAiÀÄÄ, ¥Á¢PÁgz ªÀåªºÁgÀU½U ¸A§Az¥ÀlAv AiÀiÁªÀÅzÃ eÁ»ÃgÁvÀ£ÀÄß ¤Ãrz, ಯಾವುದೇ ವೃತ್ತ ಪತ್ರಿಕೆಯಲ್ಲಿ ಷೇರು ಅಥವಾ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿದ್ದಾನೆಂಬ ಕಾರಣ ಮಾತ್ರದಿಂದಲೇ (E) RAqz CrAiÀ° C£ÀºðÀ£ÁUvÀPÀÌzÀ® Cxªà ¸zj RAqz Cxðª¦AiÀÄ° AiÀiÁªÀÅzÃ PgÁgÀÄ ಅಥವಾ ನಿಯೋಜನೆಯಲ್ಲಿ ಯಾವುದೇ ಷೇರು ಅಥವಾ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿದ್ದಾನೆಂದು ಭಾವಿಸತಕ್ಕದ್ದಲ್ಲ.

6. ¸PÁðgÃvg ¸Àz¸Àå£À£ÀÄß vUzÀÄºÁPÀÄªÀÅzÀÄ.Š gÁdå ¸PÁðgÀªÀÅ AiÀiÁªÀÇ§ ¸PÁðgÃvg ¸Àz¸Àå£À£ÀÄß,Š

(J) Cª£Ä 5£Ã ¥Pgtzº ºÀ¼¯Áz C£ºðvU¼º AiiÁªÀzÃ C£ºðvU M¼¥Ig:

(©) CªÀ£Ä PÁAiÀð ¤ªð»¸®Ä ¤gÁPj¹zg CxªÁ PÁAiÀðª£ÀÄ ¤ªð»¸®Ä C¸ªÀxð£Ázg; CxªÁ

(¹) CªÀ£Ä U¦gÀ ºÁdgÁU®Ä ¥Á¢PÁg¢Az C£ÀªÁwAiÀ£ÀÄ ¥qAiÀz ¥Á¢PÁgz ªÀÆgÀ ¤gAvg ¸¨U½U U¦gÀºÁdgÁzg:

(r) Cª££ÀÄ D ¥zzº ªÀÄAzÀªj¹zg, ¸ÁªðdÀ¤P »vÁ¸QU ¨ÁzP GAmÁUÀªAv v£À ¸ÁÛ£ª£ÀÄ zÄgÀ¥AiÆÃU¥r¹PÆ¼ÀªÀ£AzÀ gÁdÃ ¸PÁðgªÀ C©¥ÁAiÀ¥Ig:

ŠCª££ÀÄ vUzÀºÁPvPzÀ.

¥gAvÀ, AiiÁªÇ§ ¸z¸ÀÛ££ÀÄ ¥¸Áªz «gÀzÀ Cª¤U v£À ªÀÄ£«AiÀ£ÀÄ ºÃ½PÆ¼®Ä MAzÀ CªPÁ±ª£ÀÄ ¤Ãrz ºÆgvÀ, F RAqz CrAiÀº vUzÀ ºÁPvPzÀ®.

7. ªÀgÀ£ÃªÀPÁwU Cºðv.Š AiiÁªÇ§ ¸z¸ÀÛ£À, ¸z¸ÀÛ£ÁVgÀªÀzÀ ¸ªiÁ¦AiiÁzÁU, 6£Ã ¥Pgtz CrAiÀº vUzÀºÁP¯ÁVz ºÆgvÀ, ¸z¸ÀÛ£ÁV ªÀgÀ£ÃªÀP ºÆAz®Ä Cº𣁮gvPzÀ.

8. ¥Á¢PÁgz C¢PÁgU¼À.Š (1) F C¢¤AiÀªÀz GzÀ±U¼À ªÀvÀ G¥§AzU¼£ÀÄ ¥juÁªÀUÆ½¸®Ä ¥Á¢PÁgªÀ Cª±PªAzÀ C©¥ÁAiÀ¥qÀªAx AiiÁªÀªÃ PÁAiÀðU¼£ÀÄ ªiÁqÀªÀzP ¸ÁªiÁ£ÀªÁV ¥Á¢PÁgªÀ C¢PÁgª£ÀÄ ºÆA¢gvPzÀ:

¥gAvÀ, F ¥Pgtzº EgÀªÀzÀ AiiÁªÀzÆ, AiiÁªÀzÃ Evg ¥Á¢PÁgªÀ £gªÃj¸¨ÃPAzÀ F C¢¤AiÀªÀzº ¤¢ðµªÁV ºÃ½zAx AiiÁªÀzÃ PÁAiÀðª£ÀÄ £gªÃj¸®Ä F ¥Á¢PÁgª£ÀÄ C¢PÀvUÆ½¸¯ÁVzAiÀAzÀ ¨Á«¸vPzÀ®.

(2) (1)£Ã G¥¥Pgtz ¸ÁªiÁ£ÀÛ£AiÀP ¨ÁzPªÁUzAv ¥Á¢PÁgªÀ,

(J) ¤AiÀ«Ä¸§ºÀzÁz CAx ¤AiÀªÀU½U M¼¥IÀ F C¢¤AiÀªÀz AiiÁªÀzÃ GzÀ±ª£ÀÄ £gªÃj¸®Ä Cª±P CxªÁ AiÀÄPªAzÀ vÁ£Ä ¥jUt¸§ºÀzÁz J® PgÁgÀU¼£ÀÄ ªiÁrPÆ¼®Ä ªÀvÀ £gªÃj¸®Ä C¢PÁgª£ÀÄ ºÆA¢gvPzÀ. ºÁUÆ ¥wAiÆAzÀ PgÁg£ÀÄ ¥Á¢PÁgz ¥gªÁV DAiÀÄPgÀ ªiÁrPÆ¼vPzÀ:

¥gAvÀ, LzÀ ®P gÆ¥Á¬ÀU¼À CxªÁ CzPÆ ºZÀ ªZª£ÆÛ¼UÆ¼Àª AiiÁª PgÁg£ÀÄ gÁdÃ ¸PÁðgz ¥Æªð ªÀAdÆgÁw E®zÀ ªiÁrPÆ¼vPzÀ®.

(©) gÁdÃ ¸PÁðgz ¥Æªð ªÀAdÆgÁwAiÆA¢U ªÀvÀ F ¸A§AzªÁV ¤AiÀ«Ä¸§ºÀzÁzAvº µgwUÆ¼¥IÀ, F C¢¤AiÀªÀz GzÀ±U½UÁV PÁ®PÁ®P CUvªÁUÀª AiiÁªÀzÃ ªÆ§®U£ÀÄ ¸Á®ªÁV ¥qAiÀ®Ä C¢PÁgª£ÀÄ ºÆA¢gvPzÀ;

(¹) gÁdÃ ¸PÁðgz ¥ÆªÁð£ÀªÆÃz£AiÆA¢U, ªÀÄP ¸¼U¼£ÀÄ gÆ¦¸ÀªÀzPÁV CxªÁ PIqz GzÀ±U½UÁV CxªÁ C©ª¦¢ AiÆÃd£AiÀ AiiÁªÀzÃ Evg jÃwAiÀ GzÀ±PÁV, 38 ªÀvÀ 39£Ã ¥PgtP ªÀvÀ ¤AiÀ«Ä¸§ºÀzÁz CAx ¤§ðAzU¼À, µgvÀU¼À ªÀvÀ «ÃwU½U M¼¥IÀ CzP ¸ÃjgÀª AiiÁªÀzÃ Zg CxªÁ ¹g ¸v£ÀÄ UÁwU ¤ÃqÀªÀzÀ, ªiÁgÁI ªiÁqÀªÀzÀ CxªÁ C£ÀxÁ ªUÁð¬Ä¸ÀªÀzÀ ªÀvÀ v£Àº ¤»vªÁVgÀª CxªÁ ¸Á¢Ã£¥r¹PÆArgÀª AiiÁªÀzÃ ¨Æ«ÄAiÀ£ÀÄ «¤AiÆÃV¸®Ä CxªÁ G¥AiÆÃV¸®Ä C¢PÁgª£ÀÄ ºÆA¢gvPzÀ.

9. ¥Á¢PÁgz G¥ ¸«ÄwU¼À.- (1) ¥Á¢PÁgªÀ, AiiÁªÀzÃ ¤¢ðµ GzÀ±PÁV, DAiÀÄP£Ã CzÀP£ÁVgÀª ªÀvÀ ¥wAiÆAzÀ G¥¸«ÄwU LzÀ d£jU «ÄÃgzAx Evg ¸z¸ÀjgÀª MAzÀ CxªÁ ºZÀ G¥¸«ÄwU¼£ÀÄ ga¸§ºÀzÀ. G¥¸«ÄwAiÀº Zað¹ wÃªiÁð¤¸¯Áz AiiÁªÀzÃ «µAiÀª£ÀÄ C£ÀªÆÃz£ CxªÁ ¤gÁPguUÁV ¥Á¢PÁgz ¸¨AiÀ ªÀÄÃAz ªÀAr¸vPzÀ. wÃªiÁð£ª£ÀÄ G¥¸«ÄwU »A¢gÀV¸§ºÀzÀ.

(2) G¥¸«ÄwU¼À, CªÀU½U ¥Á¢PÁgªÀ ¥vÁÛAiÆÃf¹zAvº C¢PÁgU¼£ÀÄ Z¯Á¬Ä¸vPzÀ ªÀvÀ CAvº Pvðª¦U¼£ÀÄ ¤ªð»¸vPzÀ.

(3) ¥wAiÆAzÀ G¥¸«ÄwAiÀÄ P¤µ ¥P ªÀÆgÀ wAU½U MAzÀ ¸®ªÁzgÆ ¸¨ ¸ÃgvPzÀ ªÀvÀ «¤AiÀªÀÄU¼ ªÀÆ®P G¥§A¢¸§ºÀzÁzAv Czg ¸¨AiÀº£ ªÀªºÁg ¤ªðºuU ¸A§A¢¹z PÁAiÀð«zÁ£z CAx ¤AiÀªÀÄU¼£À ¥Áº¸vPzÀ.

10. DAiÀÄP£ £ÃªÀPÁw.Š (1) gÁdå ¸PÁðgªÀ, ¸PÁðgz G¥ PÁAiÀðz²ð zeðU PrªÀÄAiÀ®z zeðAiÀ C¢PÁjAiÀ£À ¥Á¢PÁgz DAiÀÄP££ÁV £Ã«Ä¸vPzÀ.

(2) DAiÀÄP£À, gÁdå ¸PÁðgªÀ PÁ®PÁ®P ¤zðj¸§ºÀzÁz CAx ªÀv£ ªÀvÀ Evg ¨vÀU¼£À ¹ÃPj¸vPzÀ. DAiÀÄP£ ¸ÃªÁ µgvÀU¼£À P£ÁðIP £ÁUjÃP ¸ÃªÁ ¤AiÀªÀÄU¼À ¤AiÀÄw¸vPzÀ.

(3) gÁdå ¸PÁðgªÀ, PÁ®PÁ®P vÁ£À AiÀÄPªAzÀ ¨Á«¸ÀªAx Cª¢U DAiÀÄP¤U UÉgÀ ºÁdgÁU®À C£ÀªÀwAiÀ£À ¤Ãq§ºÀzÀ.

11. DAiÀÄP£ C¢PÁgU¼À ªÀvÀ Pvðª¼U¼À.Š (1) DAiÀÄP£À, ¥Á¢PÁgz ªÀÄRå PÁAiÀð¤ªðºuÁ ªÀvÀ Dq½vÁ¢PÁjAiiÁVgvPzÀ.

(2) DAiÀÄP£À, F C¢¤AiÀªÀz ªÀÆ®P CxªÁ Czg CrAiÀº CxªÁ vvÁ®zº eÁjAiÀºgÀª AiiÁªÀzÃ PÁ£Æ¤£ CrAiÀº v£U ¥zvªÁVgÀªAvº ¥PÁAiÀðU¼£À £gªÃj¸ÀªÀzg eÆvU,-

(J) ¥Á¢PÁgz UÆvÀª½U¼£À C£ÄµÁ£UÆ½¸vPzÀ;

(©) ¥Á¢PÁgz ªÀªºÁgª£À £q¸ÀªÀzÀ ªÀvÀ ¥v ªÀªºÁgª£À £q¸vPzÀ ;

(¹) ¸PÁðgªÀ ¤zÃð²¸§ºÀzÁz CAx AiÆÃd£U¼£À ºÁUÆ PÁªÀUÁjU¼£À PÁAiÀðUvUÆ½¸vPzÀ ªÀvÀ ¤ªð»¸vPzÀ ºÁUÆ CzPÁV Cª±å ªZª£À ªiÁqvPzÀ;

(r) ¥Á¢PÁgz AiÆÃd£U¼ C£ÄµÁ£PÁV dªÁ¨ÁÌg£ÁVgvPzÀ;

(E) ¥Á¢PÁgz ¨ÁAPï SÁvU¼º ªÀªºÁg £q¸vPzÀ ªÀvÀ ¥Á¢PÁgz ¯P¥vU¼£À ¤ªð»¸®À dªÁ¨ÁggÁVgvPzÀ;

(J¥ï) ¥Á¢PÁgz C¢PÁjU¼À ªÀvÀ £ËPgg PÁAiÀð¤ªðºu, Dq½vÁvP ªÀvÀ CAx C¢PÁjU¼À ªÀvÀ £ËPgg ¸ÃªÁ µgvÀU¼ «µAiÀU¼ ªÀÄ¯ ªÀÄºZÁgu ªÀvÀ ¤AiÀÄvtª£À Z¯Á¬Ä¸vPzÀ ºÁUÆ Cªg ªÀv£ ªÀvÀ ¨vÀU¼£À ¤AiÀÄw¸vPzÀ;

(f) ¥Á¢PÁgz ¸AQ¥ n¥tU¼ ªÀvÀ AiiÁªÀzÃ «ªg ¥vz ¥wAiÀ£À CxªÁ gÁdå ¸PÁðgªÀ PÁ®PÁ®P PÆÃg§ºÀzÁz Evg ªiÁ»wAiÀ£À gÁdå ¸PÁðgP MzV¸vPzÀ;

(JZï) F C¢¤AiÀªÀz CxªÁ vvÁ®zº eÁjAiÀºgÀª Evg AiiÁªÀzÃ PÁ£Æ¤£ ªÀÆ®P CxªÁ Czg CrAiÀº Dv¤U ¥zvªÁz CAx Evg ¥PÁAiÀðU¼£À £gªÃj¸vPzÀ.

12. ¥Á¢PÁgz £ËPggÀ.-(1) ¤AiÀ«Ä¸§ºÀzÁzAvº ¤AiÀªÀÄ½UÆ¼¥IÀ ¥Á¢PÁgªÀ, C¢¤AiÀªÀz ¥juÁªÀPÁj C£ÄµÁ£PÁV CzÀ Cª±ªAzÀ ¨Á«¸ÀªAvº ¸ASÀAiÀ £ËPgg£À £ÃªÀP ªiÁrPÆ¼§ºÀzÀ:

¥gAvÀ, gÁdå ¸PÁðgªÀ P£ÁðIP gÁdå ¯P¥j±ÆÃz£ ªÀvÀ ¯P¥vU¼ ¸Ãª¬ÄAz UÆ¥ï "J" QjAiÀ±Ãt C¢PÁjAiÀ zeðU PrªÀ E®z zeðAiÀ C¢PÁjAiÀ£À ¤AiÆÃd£AiÀ ªÀÄ¯ ºtPÁ¸À ªÀvÀ ¯P¥vz ¤AiÀÄvuÁ¢PÁjAiÀ£ÁV £ÃªÀP ªiÁqvPzÀ.

(2) ºtPÁ¸À ªÀvÀ ¯P¥v ¤AiÀÄvuÁ¢PÁjAiÀÄ DAiÀÄP£º ªg¢ ªiÁrPÆ¼vPzÀ ªÀvÀ ¥Á¢PÁgz ºtPÁ¸À ªÀªºÁgU¼ §Uå ªÁ¸«PªÁz ºÁUÆ £ÁåAiÀAiÀÄvªÁz avtª£À ¤ÃqÀª ªÀÆ®P ºtPÁ¸À ¤AiÀªÀÄU¼£À ¥Áº¸¯ÁUÀwzAiÀÄA§Àz£À Rav¥r¹PÆ¼vPzÀ.

(3) (1)£À G¥¥Pgtzº G¯ÃT¸¯Áz £ËPgg £ÃªÀPÁw «zÁ£, ªÀv£U¼À, ¨vÀU¼À ªÀvÀ Evg ¸ÃªÁ µgvÀU¼À ¤AiÀ«Ä¸§ºÀzÁzAv EgvPzÀ.

(4) ¥Á¢PÁgz £ËPgjU ¸A§A¢¹zAv DAiÀÄP£À £ÃªÀPÁw ¥Á¢PÁjAiiÁVgvPzÀ ªÀvÀ ¥Á¢PÁgz ¹§A¢AiÀ ªÀÄ¯ ¸ÁªiÁ£å ¤AiÀÄvtª£À ºÆA¢gvPzÀ ªÀvÀ ªÀÄºZÁguAiÀ£À ªiÁqvPzÀ.

13. ¥ÁçPÁgz CrAiÀ°£ ¸ÃªU½UÁV ¸ÁªiÁ£Ã C£ºðvU¼À.Š AiiÁªÇ§ ªQAiÀÄ, £Ãg ªÁV Cxª Á ¥gÆÃPªÁV, RÄzÁV Cxª Á v£ß ¥Á®ÄzÁg£ ªÄÆ®P Cxª Á v£ß KdAl£ ªÄÆ®P ¥ÁçPÁgz AiiÁªÁzÃ µÃg£Äß ºÆAçzg Cxª Á ¥ÁçPÁgªÀ ªiÁrPÆAq E®ªÃ Czg ¥gªÁV ªiÁrPÆAq AiiÁªÁzÃ PgÁj£º »vÁ¸QAiÀ£Äß ºÆAçzg Dv£À ¥ÁçPÁgz C¢PÁj Cxª Á GzÆÃVAiiÁUvPz® Cxª Á GzÆÃVAiiÁV G½AiÀvPz®.

14. ¥ÁçPÁgz ¸¨U¼À.Š (1) ¥ÁçPÁgz DAiÀÄPgÀ, ¥ÁçPÁgz CzPg ¥ÆªÁð£ÀªÆÃz£AiÆA¢U ªÄvÀ CzPgÀ AiÀÄPªAzÃ ¨Á«¸§ºÃzÁz CAx Cª¢U¼ CAvgzº ªÄvÀ CzPgÀ ¤zðj¸§ºÃzÁz CAx ¸¼zº ¥ÁçPÁgz ¸¨U¼£Äß £q¸vPzÀ:

¥gAvÀ, ¥ÁçPÁgªÀ MAzÀ PÁ¯Aqgï ªµðzº P¤µ JgqÀ ¨ÁjAiiÁzgÆ ¸¨ ¸ÃgvPzÀ.

(2) ¥wAiÆAzÀ ¸¨AiÀ CzPvAiÀ£Äß CzP£À ª»¸vPzÀ ªÄvÀ AiiÁªÁzÃ PÁgt¢AzÁV CzP¤U AiiÁªÁzÃ ¸¨U ºÁdgÁU®Ä ¸Áz ªÁU¢zg, G¥ÁzP£À ¸¨AiÀ CzPvAiÀ£Äß ª»¸vPzÀ. AiiÁªÁzÃ PÁgtPÁV G¥ÁzP¤U ¸¨U ºÁdgÁU®Ä ¸ÁzªÁU¢zg, ¸¨AiÀº ºÁdjgÀª ¸z¸g ¥ÉQ DAiÀ ªiÁq¯ÁUÀª AiiÁªÇ§ Evg ¸z¸£À ¸¨AiÀ CzPvAiÀ£Äß ª»¸vPzÀ.

(3) ¥ÁçPÁgz wÃªiÁð£U¼£Äß ºÁdjzÀ ªÄv ºÁPÀª ¸z¸g ¸ªÁð£ÀªÄvz ¸ªÄw ¸ÆZ£AiÀ ªÄÆ®P PÉUÆ¼vPzÀ. ¥ÁçPÁgz ªÄÄAz wÃªiÁð£PÁV §Az AiiÁªÁzÃ ¤¢ðµ «µAiÀz §UÉ AiiÁªÁzÃ ©£Áß©¥ÁAiÀU½zº, DAiÀÄP£À D «µAiÀª£Äß gÁdÃ ¸PÁðgP P¼À»¸vPzÀ ªÄvÀ CAx «µAiÀU¼º gÁdÃ ¸PÁðgz wÃªiÁð£ªÀ CAwªÁVgvPzÀ.

(4) ¥ÁçPÁgz DAiÀÄP£À, ¥ÁçPÁgz wÃªiÁð£U¼£Äß PÁAiÀðUvUÆ½¸vPzÀ:

¥gAvÀ, ¥ÁçPÁgªÀ PÉUÆAq ¤tðAiÀªÀ F C¢¤AiÀªÄz Cxª Á Evg PÁ£Æ¤£ G¥§Azª£Äß Cxª Á F C¢¤AiÀªÄz Cxª Á Evg AiiÁªÁzÃ PÁ£Æ¤£ CrAiÀº ga¸¯Áz Cxª Á ºÆgr¹z AiiÁªÁzÃ ¤AiÀªÀ Cxª Á C¢¸ÆZ£ Cxª Á «¤AiÀªÀU¼ G¥§Azª£Äß Cxª Á gÁdÃ ¸PÁðgªÀ ºÆgr¹z AiiÁªÁzÃ DzÃ±ª£Äß G®AX¸ÄvzAiÀÄAzÀ Cxª Á ¥ÁçPÁgz »vÁ¸QU Cxª Á PÄvz C©ªÉ¢ ªÄvÀ ¤ªðºuU zPÀ GAlÀªiÁqÀvz Cxª Á ºÁ¤PÁgPªÁUÀvzAiÀÄAzÀ DAiÀÄP£À C©¥ÁAiÀ¥lg, Cª£À ¤tðAiÀª£Äß C£ÀªÆÃ¢¸¯Áz º¢£ÉzÀ ¢£U¼ M¼UÁV «µAiÀz §UÉ DzÃ±U¼£Äß PÆÃj gÁdÃ ¸PÁðgP P¼À»¸vPzÀ ªÄvÀ ¥ÁçPÁgz ªÄÄA¢£ ¸¨AiÀº vÁ£À PÉUÆAq Pª Äz §UÉ w½¸vPzÀ ªÄvÀ DAiÀÄP£À P¼À»¹PÆl CAvº «µAiÀz §UÉ gÁdÃ ¸PÁðgªÀ DzÃ±ª£Äß ¤ÃqÀªªgU DAiÀÄP£À D ¤tðAiÀª£Äß eÁjU vg®Ä §z£ÁVgvPz®.

(5) ¥ÁçPÁgªÀ «¤ªÀAiÀÄU¼ ªÄÆ®P v£ß ¸¨U¼ ªÀªºÁg ¤ªðºuU½U ¸A§Az¥lAv F C¢¤AiÀªÄz Cxª Á Czg CrAiÀº ga¸¯Áz ¤AiÀªÀU¼ G¥§AzU½U C¸AUvªÁUz PÁAiÀð«zÁ£ª£Äß ¤¢ðµ¥r¸§ºÃzÀ.

15. ªÀªºguU¼À ¸jAiiÁzÄzAzÀ ªÄvÀ ¹AzÀªÁzÄzAzÀ ¥Çªð¨Áª£ ªiÁqÀªÀzÀ.Š CzPgÁV, G¥ÁzPgÁV Cxª Á ¸z¸gÁV PÁAiÀð¤ªð»¸Àª AiiÁªÇ§ ªQAiÀ C£ºðv Cxª Á £ÃªÄPÁwAiÀº £Æ£vAiÀÄ ¥ÁçPÁgz AiiÁªÁzÃ Pv Cxª Á £qª½AiÀÄ C£xÁ F C¢¤AiÀªÄz G¥§AzU½U C£À¸ÁgªÁVzg CAvº Pv Cxª Á ªÀªºguAiÀ£Äß zÆ¶vUÆ½¸ÄvzAzÀ ¨Á«¸vPz®.

16. n¥tAiÀ£Äß ¸Äw¸Àª ªÄÆ®P ¥ÁçPÁgz wÃªiÁð£U¼À.Š (1) CzPgÀ AiiÁªÁzÃ ¥Pgtª£Äß ¥ÁçPÁgz MAzÀ ¸¨AiÀº ZZðU §z¯ÁV D §UÉ ¸z¸g C©¥ÁAiÀª£Äß PÆÃj ¤AiÀ«Ã¸¯Áz £ªÄÆ£AiÀº MAzÀ n¥tAiÀ£Äß ¥ÁçPÁgz ¸z¸g £qÀª ¸Äw¸®Ä ¤zÃð²¸§ºÃzÀ. ºÁU ¸Äw¸¯Áz n¥tAiÀºgÀª ¥¸Ãªª£Äß J¯Á ¸z¸gÀ ¸ªÁð£ÀªÄv¢Az M¦PÆAqº Cz£Äß ¥ÁçPÁgz ¸ªÄw¸ÆZP ¤tðAiÀªA§ÄzÁV ¨Á«¸vPzÀ ªÄvÀ vz£À¸ÁgªÁV ªÄÄA¢£ Pª Àª£Äß PÉUÆ¼vPzÀ. ¥ÁçPÁgz wÃªiÁð£PÁV ¸Äw¸¯Áz AiiÁªÁzÃ ¤¢ðµ «µAiÀz §UÉ AiiÁªÁzÃ ©£Áß©¥ÁAiÀ ªÀPªÁzg, DAiÀÄP£À D «µAiÀª£Äß gÁdÃ ¸PÁðgP P¼À»¸vPzÀ ªÄvÀ D §UÉ gÁdÃ ¸PÁðgz wÃªiÁð£ªÃ CAwªÀªÁVgvPzÀ.

(2) (1)£Ã G¥¥Pgtz CrAiÀ° C©¥ÁAiÀPÁV ¸Àw¸¯Áz ¸Az¨ðU¼°, AiiÁªÇ§ ¸z¸£À n¥tAiÀ° ¤¢ðµ ¥r¹gÀª ¢£ÁAPzÆ¼U vªÀ C©¥ÁAiÀª£ÀB w½¸®Ä v¦zg, ¸Àw¸¯Áz n¥tAiÀ° M¼UÆAq ¥¸Áªª£ÀB CAvº ¸z¸£À M¦PÆArzÀ£AzÄ ¨Á«¸vPzÀ.

(3) 14£Ã ¥Pgtz G¥§AzU¼À AiÀxÆÃav ªvÀ¸U¼ÆA¢U F ¥Pgtz CrAiÀ° ¸Àw¸Àª ªÀÆ®P PÉUÆAq ¥Á¢PÁgz wÃªiÁð£U½U C£AiÀªÁUvPzÀ.

(4) (1)£Ã G¥¥Pgtz CrAiÀ° ¸Àw¸ÀªzPÁV ªiÁq¯Áz n¥tAiÀ M¼ÁA±U¼£ÀB ¤AiÀ«Ä¸vPzÀ.

17. P®ªÀ wÃªiÁð£U¼£ÀB PÉUÆ¼®Ä Cz¦P£ C¢PÁg.Š(1) AiiÁªÇAzÄ «±AiÀªÀ 14£Ã ¥Pgtz CrAiÀ° ¥Á¢PÁgz ¸¨AiÀ£ÀB PgAiÀ®Ä CUv¥r¸ÀªµÀ Cxª 16£Ã ¥Pgtz CrAiÀ° ¸Àw¸Àª ªÀÆ®P ¥Á¢PÁgªÀ wÃªiÁð¤¸ÀªªgUÆ PÁAiÀ®Ä ¸ÁzªÁUz±Ä vÀvÀð ¸gÆ¥zÁVzAiÀAzÄ Cxª «µAiÀªÀ Uº£ªÁzÀzAzÄ Cz¦P£Ä C©¥ÁAiÀ¥Ì°, vÁ£Ä AiÀÄPªAzÄ ¨Á«¸ÀªAvº DzÃ±U¼£ÀB Cª£Ä ¤Áq§ºÀzÄ ªÀvÄ Cz£ÀB ¥Á¢PÁgz wÃªiÁð£U¼ jÃwAiÀ°AiÀÄ C£ÄµÁ£UÆ½¸vPzÀ:

¥gAvÀ, F ¥Pgtz CrAiÀ° Cz¦P£Ä PÉUÆAq ¥wAiÆAzÄ wÃªiÁð£ª£ÀB ¥Á¢PÁgz ªÀÄA¢£ ¸¨AiÀ° ªÀAr¸vPzÀ.

CzÁAiÀ III

¸ªðd PÃvz C©ª¢ ºÁUÆ ¤ªðºu

18. ¸ªðd PÃvz°£ ¥ÁgA¥jP vÁtU¼À.Š (1) AiiÁªÀzÃ ¥zw, ¸A¥zÁAiÀ, gÆrAiÀ° Cxª vvÁ®z° eÁjAiÀ°gÀª AiiÁªÀzÃ PÁ£Æ¤£ CrAiÀ° ¸f¸¯Áz ªÀvÄ C¹vz°gÀª AiiÁªÀzÃ £Á¸z ¤§Az£U¼° K£Ã Ez¦gÆ, C£Ä¸ÆaAiÀ° ¤¢ðµ¥r¹z J¯Á Cxª AiiÁªÀªÃ ¥ÁgA¥jP vÁtU¼ ¸A¥Ætð ¤AiÀAvt, ªiÁ°ÃPv, ¤ªðºu ªÀvÄ ªÀÄ°ZÁguAiÀÄ, ¨Æ ¸Á¢Ã£, ¥Ä£ªð¸w ªÀvÄ ¥Ä£ªðª¸AiÀ° £ÁAiÀAiÀÄv ¥jºÁg ªÀvÄ ¥Ágz±ðPv ºPÄ C¢¤AiÀªÀ, 2013g (2013g PÀAz C¢¤AiÀªÀ 30) C£Ä¸ÁgªÁV gÁd ¸PÁðgz° FUÁU¯Ã ¤»vUÆ¼¢z°, gÁd ¸PÁðgªÀ CUv«z° ¸Á¢Ã£¥r¹PÆ¼vPzÀ ªÀvÄ vz£Avg gÁd ¸PÁðgªÀ C¢¸Æa¹z ¢£ÁAP¢Az EzÄ ¥Á¢PÁgP ªUÁðªuAiiÁUvPzÀ:

¥gAvÀ, F C¢¤AiÀªÀz CrAiÀ° ¸Á¢Ã£¥r¹PÆAq ¨Æ«ÀAiÀ£ÀB ¸ÁªðdªP Gz±PÁV ¨Æ ¸Á¢Ã£, ¥Ä£ªð¸w ªÀvÄ ¥Ä£ªðª¸AiÀ° £ÁAiÀAiÀÄv ¥jºÁg ªÀvÄ ¥Ágz±ðPv ºPÄ C¢¤AiÀªÀ, 2013g (2013g PÀAz C¢¤AiÀªÀ 30) CrAiÀ° ¸Á¢Ã£¥r¹PÆ¼¯ÁVz JAzÄ ¨Á«¸vPzÀ.

(2) gÁd ¸PÁðgªÀ, vÁvÁ°P G¥§AzU¼£ÀB P°¸ÀªzÄ Cª±ªAzÄ ¨Á«¹zg, gÁd ¸PÁðgªÀ ¸ÁªiÁ£ Cxª «±Ãµ DzÃ±z ªÀÆ®P ºÁU ªiÁq§ºÀzÄ.

19. C£Ä¸ÆaAiÀ£ÀB wzÀ¥r ªiÁqÀª C¢PÁg.- gÁd ¸PÁðgªÀ, ¤AiÀ«Ä¸§ºÀzÁzAx PÁAiÀð«zÁ£ª£ÀB C£Ä¸j¹z vgÀªÁAiÀ C¢¸ÆZ£AiÀ ªÀÆ®P C£Ä¸ÆaAiÀ° AiiÁªÀzÃ £ªÀÆz£ÀB ¸Ãj¹ Cxª ªiÁ¥ðr¹ Cz£ÀB wzÀ¥r ªiÁq§ºÀzÄ.

20. C©ª¢ AiÆÃd£AiÀ£ÀB ¹zÀ¥r¸ÀªÀzÄ, Czg C£ÀªÆÃz£ ºÁUÆ Cz£ÀB PÁAiÀðUvUÆ½¸ÀªÀzÄ.Š (1) ¥Á¢PÁgªÀ, Czg gZ£AiiÁz ªÀÃ¯, Dz±Ä ¨ÃU£ ¸ªðd PÃvª£ÀB CAvggÁ¶ÃAiÀ ¥ÁgA¥jP vÁtªÁV, ¸ÁA¸wP ºÁUÆ ¥ªÁ¹ PÀAzª£ÁV ªÀvÄ P« ¸ªðd£ ªÀvÄ Dv£ ¸ªÀPÁ°Ã£g PÀjvÀ ZZð ºÁUÆ ¥Zágz PÀAzª£ÁV G½¹ Cz£ÀB C©ª¢UÆ½¸®Ä AiÆÃd£AiÀ£ÀB ¹zÀ¥r¸vPzÀ. C©ª¢ AiÆÃd£AiÀÄ F ªÀÄA¢£ªÀU¼£ÀB M¼UÆArg§ºÀzÄ, JAzg:-

(J) AiiÁªÀzÃ ¥ÁgA¥jP vÁtz Cxª gZ£AiÀ ¸AgPu ªÀvÄ fÃuÆÃðzÁg ºÁUÆ Czg ¤ªðºu ªÀvÄ ¥Ä£gï ¤ªiÁðtPÁV PÁAiÀðPªÀU¼À;

(©) ¥Á¢PÁgz C©¥ÁAiÀz° C©ª¤¢ AiÆÃd£AiÀ£À PÁAiÀðUvUÆ½¸®Ä Cª±ÀªÁz ¨Æ«ÀAiÀ£À Ddð£ Cxª Á RjÃ¢AiÀ ªÀÆ®P, «¤ªÀAiÀ Cxª Á C£ÀxÁ Dfð¸ÀªÀzPÁV ¥¸ÁªÀU¼Ä;

(¹) ¸Áªðd¤P GzÀ£ª£U¼Ä, vÆÃIUÁjP Cxª Á ªÀÄUÆÃzÁ£U¼Ä, PÁgAfU¼Ä, PÁvP d®¥ÁvU¼Ä, DIz GzÀ£ª£U¼Ä, zÆÃt «ºÁgz Cxª Á ¤Ãj£ Evg QÃqAiÀ ¸Ë®¨«gÀª ¸gÆÃªgU¼£À Cxª Á CAx Evg ¥ªÁ¹ DPµðuU¼£À ¤«Äð¸ÀªÀzÄ;

(r) bvU¼Ä, ª¸wŠUºU¼Ä, PÁmÃdÄU¼Ä, ºÆÃm®ÄU¼Ä, g¸ÆÃgAIÄU¼Ä ªÀvÀ ««z ªUðz ¥ªÁ¹UjU DºÁgª£À MzV¸®Ä ¨ÆÃd£Á®AiÀU¼£À ¤«Äð¸ÀªÀzÄ;

(E) Cª±ÀP CAUrU¼ ¸Á®ÄU¼£À Cxª Á CAUrŠ¸AQÃtðU¼£À ¤«Äð¸ÀªÀzÄ;

(J¥ï) 2£Ã ¥Pgtz (J) RAqz° ¥j¨Á¶¸¯ÁzAv ¸ËPAiÀðU¼£À Pº¸ÀªÀzÄ ªÀvÀ ZgAr ªª¸, «zÀZQ ªÀvÀ ¤ÃgÀ ¥ÇgÉP ºÁUÆ £ªÀð® ªª¸AiÀ£À MzV¸ÀªÀzÄ;

(f) ¥Á¢PÁgª, ¸ÁzÁgtªÁV v£ AiÆÃd£Á PÁAiÀðP C£ÀªÁUÄªAv ¸ÆPªAzÄ ¨Á«¹zg ªÀvÀ ªÀÄRªÁV GvªÄ ZgAr ªª¸AiÀ£À MzV¸®Ä, AiiÁªÀzÄ ¨Æ«ÀAiÀ£À Jvj¸ÀªÀzÄ;

(ºZï) ¸ªðd PÃv M¼UÆ¼Àª ¥zÃ±z° CzP ®UvÁVgÀª AiiÁªÀzÄ ¥zÃ±z° GvªÄ UÁ½Š¨¼Q£ ªª¸UÁV SÁ° eÁUU¼£À ©qÀªÀzÄ;

(L) PIqU¼ ¤ªiÁðt ºÁUÆ ¥À£gïŠ¤ªiÁðt, CªÀU¼ ¤ªðºu ªÀvÀ ¸AgPu;

(e) ¸ªðd PÃv ¥zÃ±z° Cxª Á ¥Á¢PÁgª ¤zðj¹z ¥zÃ±z° C©ª¢ PÁªÀUÁjU¼£À PÉUÆ¼ÀªÀzÄ;

(P) ¸A¥Pð ªÀvÀ ¸ÁUu ¸Ë®¨U½UÁV ¸ËPAiÀðU¼£À Pº¸ÀªÀzÄ;

(J¯ï) C©ª¢ AiÆÃd£AiÀ ¹Á«Ä£Æ¼U ºÁU ªÀÄAzÀªgAiÀĪAv C£ÀªÀw¸§ºÄzÁz ¨ËUÆÃ½P ¥zÃ±z C©ª¢ AiÆÃd£AiÀ° C¹vz°gÀª zÁ«ÀðP ¸A¸U¼ÆA¢U CAx ºÆAzÁtPU¼Ä ªÀvÀ M¥AzU¼Ä;

(JA) ¸ªðd PÃvª£À ¸ÁA¸wP PÁAzªÁV AiiÁvÁ ¸¼ªÁV ªÀvÀ CAvggÁ¶ÃAiÀ ¥ªÁ¹ PÁAzª£ÁV ºÁUÆ ¸ªðd ªiÁvª®z Dv£ ¸ªÀPÁºÃ£g ªÀvÀ C£ÀAiiÁ¬ÄU¼ aAv£AiÀ PÁAzª£ÁV C©ª¢UÆ½¸®Ä ºÁUÆ ¤ªð»¸®Ä, ¥Á¢PÁgª AiÀÄP ªÀvÀ D£ÄµAVPªAzÄ C©¥ÁAiÀ¥qÀª AiiÁªÀzÄ Evg «µAiÀ; ¸ªðd ªÀvÀ Dv£ ¸ªÀPÁºÃ£ fÁª£ ªÀvÀ ¥ªZ£U½U ¸A§A¢¹z Evg ¥ªÀÄR ¸¼U¼£À gQ¸ÀªÀzÄ ºÁUÆ F «µAiÀz ªÀįCzAiÀ£U½UÁV ¸A±ÆÃz£Á PÁAz ªÀvÀ «±Ãµ UAxÁ®AiÀª£À C©ª¢¥r¸ÀªÀzÄ.

(J£ï) ¥Á¢PÁgz ¥ÁzÃ²P ¥j«ÄwAiÆ¼V£ AiiÁªÀzÄ LwºÁ¹P ªÀvÀ ¥ÁgA¥jP ¸¼z° ªÀt£° ºÆvÀ ºÆÃVª JAzÄ £A§¯Áz ¥ÁaÃ£ ¸ÁgPU¼Ä AiiÁªÀzÁzgÆ Ezg, Cz£À ¨Æ«Ä¬ÄAz vÀUAiÀĪÀzPÁV Gv££ ªÀvÀ ¥ÄgÁvvz ¸gÆ¥z ¥j±ÆÃz£:

¥gAvÄ, F RAqz° EgÀªÀzÄ AiiÁªÀzÆ, ¥ÁaÃ£ ¸ÁgPU¼Ä ªÀvÀ LwºÁ¹P ¸¼U¼Ä ªÀvÀ Cª±ÃµU¼ C¢¤AiĪÄ, 1958g (1958g PÃAz C¢¤AiĪÄ ¸ASå: 24) G¥§AzU¼£À CzÁgÆÃ»¸ÄvzAzÄ ¨Á«¸vPz®.

(2) (1)£Ã G¥¥PgtzrAiÀ° ¹z¥r¸¯Áz C©ª¢ AiÆÃd£AiÀ£À DAiÀÄP£Ã C£ÀªÆÃz£UÁV gÁdå ¸PÁðgP P¼Ä»¹PÆqvPzÀ. gÁdå ¸PÁðgª, ªiÁ¥ÁðIÄU¼ ¸»vªÁV Cxª Á AiiÁªÀªÃ ªiÁ¥ÁðIÄU½®z AiÆÃd£AiÀ£À C£ÀªÆÃ¢¸§ºÄzÄ.

(3) (2)£Ã G¥¥PgtzrAiÀ C©ª¢ AiÆÃd£AiÀ£À C£ÀªÆÃ¢¹z vgĪÁAiÀ gÁdå ¸PÁðgª, AiÆÃd£AiÀ° ¥Á¢PÁgz ²¥Ág¸ÄU¼ ªÀį PÁ® PÁ®P vÀ£Ä Cª±ÀPªAzÄ ¨Á«¸ÀªAx ªiÁ¥ÁðIÄU¼£À ªiÁq§ºÄzÄ.

(4) F ¥PgtzrAiÀ° gÁdå ¸PÁðgª C£ÀªÆÃ¢¹z C©ª¢ AiÆÃd£U¼£À PÁAiÀðUvUÆ½¸ÀªÀzPÁV PÁªÀUÁjU¼£À PÉUÆ¼Àª ªÀvÀ ªZª£À ¨j¸Àª C¢PÁgª£À ¥Á¢PÁgª ºÆA¢gvPzÀ.

21. ¸ªðd PÁvz ¤ªðºu.Š gÁdå ¸PÁðgªÀ, ¥Á¢PÁgz ²¥Ág¹£ ªÀÄ¯ Cxª CxªÁ C£ìxÁ, ¸ªðd PÁvz ¤ªðºuUÁV, ¥ÁgA¥jP vÁtU¼À ¸ÃjzAv ¥Á¢PÁgz ¸vÀU¼£À AiiÁª jÃwAiÀ° §¼¹PÆ¼§ºÀzÀ JA§ jÃwAiÀ£À, §gÀª ¨PgÀ, AiiÁwPgÀ, ¥ªÁ¹UgÀ ªÀvÀ Evg ¸Az±ðPgÀ §¼¹PÆ¼§ºÀzÁz º®ªÁgÀ ¸Ë®¨ìU½UÁV CªjAz ª¸Æ®À ªiÁq§ºÀzÁz zgU¼À, ±Ä®U¼À CxªÁ Evg ZÁdÀðU¼£À ªÀvÀ ¥gA¥gAiÀ vÁtU¼ DªgtU½Az AiÀÄPª¤¸§ºÀzÁzAx E¤ìvg «µAiÀU¼£À; ¨ÁrU CxªÁ £µ ¥jºÁgª£À ¨ÆPAzÁAiÀz ¨ÁQAiÀAv ª¸Æ®À ªiÁqÀª C¢PÁg EvÁ¢U½UÁV ¤AiÀªÀU¼ ªÀÆ®P G¥§Azª£À P°¸vPzÀ.

22. ¥Á¢PÁgPì gÁdå ¸PÁðgz C¢PÁgU¼ ¥vÁAiÆÃd£.– P£Áð®P ¥ÁaÃ£ ªÀvÀ Lwºª¹P ¸ÁgP ºÁUÆ ¥ÀgÁvv ¸¼U¼À ªÀvÀ Cª±ÃµU¼ C¢¤AiÀªÀ, 1961g° (1962g P£Áð®P C¢¤AiÀªÀ ¸ASå 7) K£Ã EzìgÆ, gÁdå ¸PÁðgªÀ C¢¸ÆZ£AiÀ ªÀÆ®P ¤AiÀªÀU¼ gZ£Á¢PÁgª£À ºÆgvÀ¥r¹, vÁ£À Z¯Á¬Ä¸§ºÀzÁz AiiÁªìzÃ C¢PÁgU¼£À ¥Á¢PÁgPì ¥vÁAiÆÃf¸§ºÀzÀ ªÀvÀ CAx C¢¸ÆZ£AiÀ£À ºÆgr¹z vgÀªÁAiÀ ¥Á¢PÁgªÀ, C¢¸ÆZ£AiÀ° ¤¢ðµ¥r¸§ºÀzÁz CAx C¢PÁgU¼£À ºÆA¢gvPzÀ ªÀvÀ CAx ¥PÁAiÀðU¼£À £gªÃj¸vPzÀ.

23. P£Áð®P ¸Áªðd¤P DªgtU¼ (C£¢Pìv C¢¨ÆÃUzÁgg£À ºÆgºÁPÀª) C¢¤AiÀªÀ, 1974£À ¥Á¢PÁgz DªgtU½U C£¬Ä¸Àªìzà.– (1) gÁdå ¸PÁðgªÀ, (2)£Ã G¥¥Pgtz G¥§AzU½U M¼¥®À, C¢¸ÆZ£AiÀ ªÀÆ®P CAvº C¢¸ÆZ£AiÀ° ¤¢ðµ¥r¸§ºÀzÁz CAx ¢£ÁAP¢Az P£Áð®P ¸Áªðd¤P DªgtU¼ (C£¢Pìv C¢¨ÆÃUzÁgg£À ºÆgºÁPÀª) C¢¤AiÀªÀ, 1974£À (1974g P£Áð®P C¢¤AiÀªÀ 32) ¥Á¢PÁgPì ¸Ãjz, Czg° ¤»vªÁz CxªÁ CzÀ UÁwUU vUzÀPÆAq DªgtPì, ¸Áªðd¤P DªgtU½U D C¢¤AiÀªÀ C£¬Ä¸ÀªAvAiÀÄ C£¬Ä¸vPìzAzÀ G¥§Azª£À P°¸§ºÀzÀ.

(2) (1)£Ã G¥¥Pgtz CrAiÀ° C¢¸ÆZ£AiÀ£À ºÆgr¹z vgÀªÁAiÀ, ªÀÄ®Aq C¢¤AiÀªÀ ªÀvÀ Czg CrAiÀ° ga¹z ¤AiÀªÀU¼À, ¥Á¢PÁgz DªgtU½U F ªÀÄA¢£ ªiÁ¥ÁðqÀU¼Æq£ C£¬Ä¸vPìzÀ, JAzg:-

(J) gÁdå ¸PÁðgªÀ, vÁ£À ¸ÆPªAzÀ ¨Á«¸ÀªAv gÁdå ¸PÁðgz CxªÁ ¥Á¢PÁgz AiiÁªÇ§ C¢PÁjAiÀ£À ªÀÄ®Aq C¢¤AiÀªÀz GzÀ±U½UÁV ¸PªÀ C¢PÁjAiÀAzÀ £Ã«Ä¸§ºÀzÀ; ªÀvÀ

(©) D C¢¤AiÀªÀz° ªÀvÀ D ¤AiÀªÀU¼° ``¸Áªðd¤P DªgtU½U" ªiÁrz G¯ÃRU¼£À ¥Á¢PÁgz DªgtU½U ªiÁrz G¯ÃRU¼AzÀ ¨Á«¸vPzÀ ªÀvÀ D C¢¤AiÀªÀz 6, 7, 8, 14, 15, 16 ªÀvÀ 17£Ã ¥PgtU¼° ``gÁdå ¸PÁðgP" ªiÁrz G¯ÃRU¼£À ¥Á¢PÁgPì ªiÁrz G¯ÃRU¼AzÀ ¨Á«¸vPzÀ.

24. ¥Á¢PÁgz C£ÀªÁw E®z AiiÁªìzÃ Evg ¥Á¢PÁg CxªÁ ªìQAiÀÄ C©ª¤¢AiÀ£À PìUÆ¼vPìz®.Š (1) vvÁ®z° eÁjAiÀ°gÀª AiiÁªìzÃ PÁ£Æ¤£° K£Ã M¼UÆArzìgÆ, ¸ªðd PÃvzÆ¼U ¥Á¢PÁgªÀ PÁ®PÁ®Pì ¸PÁðj gÁdå¥vz° ¥Pn¹z C¢¸ÆZ£AiÀ ªÀÆ®P ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ CAx ªiÁzjU¼ AiiÁªìzÃ C©ª¤¢AiÀ£À ¥Á¢PÁgz ¥ÇªÁð£ÀªÁwAiÀ ºÆgvÀ, AiiÁªìzÃ ¥Á¢PÁg CxªÁ ªìQAiÀÄ PìUÆ¼vPìz®.

(2) ¸ªðd PÃvzÆ¼U (1)£Ã G¥¥Pgtz° G¯ÃT¹z AiiÁªìzÃ C©ª¤¢ PìUÆ¼®À, CAx C©ª¤¢UÁV ¥Á¢PÁgªÀ C£ÀªÁwAiÀ£À ¤Ãrz ºÆgvÀ, AiiÁªìzÃ ¸½ÃAiÀ ¥Á¢PÁgªÀ C£ÀªÁwAiÀ£À ¤ÃqvPìz®.

(3) (1)£Ã G¥¥Pgtz° G¯ÃT¹z C©ª¤¢AiÀ£À PìUÆ¼®À Ea¸Àª AiiÁªìzÃ ¥Á¢PÁg CxªÁ ªìQAiÀÄ, CAx C©ª¤¢AiÀ£À PìUÆ¼®À C£ÀªÁwAiÀ£À PÆÃj ¥Á¢PÁgPì °Tvz° CfðAiÀ£À ¸°¸vPzÀ.

(4) ¥Á¢PÁgªÀ, vÁ£À Cª±ªAzÀ ¨Á«¸ÀªAx «ZÁguAiÀ£À £q¹z vgÀªÁAiÀ, vÁ£À ವಿಧಿಸುವುದು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಬಹುದಾದ ಅಂಥ ಷರತ್ತುಗಳೊಡನೆ ಅಥವಾ ಷರತ್ತುಗಳಿಲ್ಲದೆ ಅಂಥ C£ÀªÁwAiÀ£À ¤Áq§ºÀzÀ CxªÁ CAx C£ÀªÁwAiÀ£À ¤Áq®À ¤gÁPj¸§ºÀzÀ.

(5) (4)£Ã G¥¥Pgtz CrAiÀ°AiÀ ¥Á¢PÁgz wÃªiÁð£¢Az ¨Á¢vªÁz AiiÁªÀzÃ ¥Á¢PÁg CxªÁ ªÀQAiÀÄ, wÃªiÁð£z ¢£ÁAP¢Az ªÄÆªvÀ ¢£U¼Æ¼U CAx wÃªiÁð£z «gÁzÀ gÁdå ¸PÁðgP C¦Ã®£Ä ¸°¸§ºÀzÀ, ªÀvÀ Czg wÃªiÁð£ªÀ CAwªÀªÁVgvPÀzÀ:

¥gAvÀ, CAx C¦Ã®£Ä ¸°¸Àª ¨Á¢v ¥Á¢PÁgªÀ, PÃAz ¸PÁðgz Dq½vÁvÀP ¤AiÀÄAvtz°zÀg, gÁdå ¸PÁðgªÀ, PÃAz ¸PÁðgzÆq£ ¸ªiÁ¯ÆÃZ£ £q¹z vgÀªÁAiÀ C¦Ã®£Ä wÃªiÁð¤¸vPÀzÀ.

25. ¥Á¢PÁgªÀ ¥ªÁ¸ÆÃzÀªÀP ªÀvÀ AiiÁvU GvÃd£ª£Ä ¤ÃqÀªÀzÀ.– F ¥ÁgA¥jP vÁtU½U ªÁ¥P ¥ZÁgª£Ä ¤Ãq®Ä ¥ªÁ¸ÆÃzÀªÀ, ¸ÁA¸ÀwP, LwºÁ¹P ªÀvÀ AiiÁvÁ ¥ÁªÀÄRÀvAiÀ£Ä GvÃf¸ÀªÀzPÁV ¥Á¢PÁgªÀ PÁAiÀðPªÄU¼£Ä ªÀvÀ PÁAiÀðZIÀªnPU¼£Ä DAiÆÃf¸§ºÀzÀ. CAx PÁAiÀðPªÀU¼À F ªÀÄA¢£ªÀU¼£Ä M¼UÆArgvPÀzÀ,-

(J) ¸ªðd dAiÀÄAvÆÃvª;

(©) ¸ªðd ¸Á»vÆÃvª;

(¹) P¯Á ¥z±ð£U¼À ªÀvÀ ªiÁgÁIU¼À;

(r) ¸ªÀÄ¼£U¼À, «ZÁgUÆÃ¶U¼À, PÁAiiÁðUÁgU¼À; ªÀvÀ

(E) ªÁ¶ðP eÁvU¼À ªÀvÀ «±Ãµ ¸gÆ¥z GvªU¼À.

26. C¢PÁgU¼ ¥vÁAiÆÃd£.– (1) gÁdå ¸PÁðgªÀ, C¢¸ÆZ£AiÀ ªÀÆ®P, 41£Ã ¥Pgtz CrAiÀ° ¤AiÀªÀU¼£Ä ga¸Àª C¢PÁgª£Ä ºÆgvÀ¥r¹, F C¢¤AiÀªÀz ªÀÆ®P CxªÁ Czg CrAiÀ° v£U ¥zvªÁz AiiÁªÀªÃ C¢PÁgU¼£Ä AiiÁªÀzÃ Evg ¥Á¢PÁgP ¥vÁAiÆÃf¸§ºÀzÀ.

(2) ¥Á¢PÁgªÀ, 42£Ã ¥Pgtz CrAiÀ° «¤AiÀªÀU¼£Ä ga¸Àª C¢PÁgª£Ä ºÆgvÀ¥r¹, F C¢¤AiÀªÀz ªÀÆ®P CxªÁ Czg CrAiÀ° v£U ¥zvªÁz AiiÁªÀªÃ C¢PÁgU¼£Ä DAiÀÄPjU CxªÁ ¥Á¢PÁgz Evg C¢PÁjU½U «¤AiÀªÀU¼ ªÀÆ®P, ¥vÁAiÆÃf¸§ºÀzÀ.

CzÁåAiÀ – IV

ºtPÁ¸À ªÀvÀ ¸vÀ

27. ¥Á¢PÁgz ¤¢.– (1) ¸ªðd PÃv C©ªÀ¢ ¥Á¢PÁg ¤¢AiÀAzÀ PgAiÀ¯ÁUÀª MAzÀ ¤¢AiÀÄ EgvPÀzÀ.

(2) ¸zj ¤¢U,-

(i) PÃAz ¸PÁðg, gÁdå ¸PÁðg, AiiÁªÀzÃ ¸½ÃAiÀ ¥Á¢PÁg CxªÁ ¤U«ÀvªÁz CxªÁ ¤U«Àvª®z AiiÁªÀzÃ ¤PÁAiÀ CxªÁ AiiÁªÇ§ ªÀQAiÀÄ ¤Ãrz J® C£ÃzÁ£U¼À, ¸ºÁAiÀz£U¼À, zÃtUU¼À ªÀvÀ PÆqÀUU¼£Ä;

(ii) ¥Á¢PÁgªÀ ¸Á® ¥qz ªÆ§®U£Ä; ªÀvÀ

(iii) AiiÁªÀzÃ ªÀÆ®¢AzÁU°, ¥Á¢PÁgªÀ CxªÁ ¥Á¢PÁgz ¥gªÁV ¥qzÀPÆAq Evg J¯Á ªÆvU¼£Ä,

- dªÀ ªiÁqvPÀzÀ.

(3) gÁdå ¸PÁðgªÀ C£xÁ ¤zÃð²¹z ºÆgvÀ ¤¢U dªÀ ªiÁq¯Áz J® ºtª£Ä AiiÁªÀzÃ C£À¸Æav ¨ÁAQ£° CxªÁ gÁdå ¸PÁðgz ReÁ£AiÀ° ºÆqvPÀzÀ.

(4) ¥Á¢PÁgz DAiÀÄPjU ªÀvÀ Evg C¢PÁjU½U ªÀvÀ £ËPgjU ¸AzÁAiÀ ªiÁq¨ÃPÁz ¸A§¼U¼À, ¨vÀU¼À ªÀvÀ ¤ªÀw ªÀv£ªÃ£ÁzgÆ EzÀ° Cª£ÆÄ M¼UÆAqAv ¥Á¢PÁgz ¤¢¬ÄAz ¨j¸vPÀzÀ.

28. ¤¢AiÀ §¼P.– ¥Á¢PÁgªÀ ºÆA¢gÀª CxªÁ Czg° ¤»vªÁVgÀª ¤¢AiÀ£Ä ªÀvÀ J® ¸v£Ä F C¢¤AiÀªÀz GzÀ±U¼£Ä £gªÃj¸ÀªÀzPÁV §¼¹PÆ¼vPÀzÀ.

29. gÁdå ¸PÁðg¢Az C£ÄzÁ£.- ¥Á¢PÁgªÀ v£ßzÃ ¸A¥£Æ®U½Az ¸AiÄA ¤ªðºu ªiÁrPÆ¼ÄªÀ ºAvª£Àß v®Ä¥ÄªªgU Czg Dq½vÁvP ªZU½U ¸ªÃ£Áz ªÆvª£Àß C£ÄzÁ£z gÆ¥zº gÁdå ¸PÁðgªÀ ¥w ªµðªÇ ¥Á¢PÁgPÀ ¤ÃqvPzÀ.

30. ¥Á¢PÁgz DAiÄªÀAiÄ.- (1) ¤AiÄ«Ä¸§ºÃzÁz CAx ¢£ÁAPPÀ ªÆz®Ä ªÄvÄ CAx £ªÄÆ£AiÄº ªÄÄA§gÄª K¦¯ï MAz£AiÄ ¢£ÁAPzAzÄ ¥ÁgA¨ªÁUÄª ºtPÁ¸Ä ªµðPÁV v£ß DzÁAiÄ ªÄvÄ ªZz DAiÄªÀAiÄ CAzÁd£Àß ¥Á¢PÁgªÀ ¥w ªµðªÇ ¹z¥r¸vPzÀ ªÄvÄ gÁdå ¸PÁðgPÀ ªÄAdÆgÁwUÁV P¼Ä»¸vPzÀ. ¥Á¢PÁgªÀ, Cª±ªÁzg, AiiÁªÀzÃ ºtPÁ¸Ä ªµðz Cª¢AiÄº ¥ÆgP DAiÄªÀAiÄ CAzÁdÄU¼£Àß ¸º ¹z¥r¸§ºÃzÄ.

(2) gÁdå ¸PÁðgªÀ F DAiÄªÀAiÄ CAzÁdÄU¼£Àß ªÄvÄ ¥ÆgP DAiÄªÀAiÄ CAzÁdÄU¼£Àß CªÀU¼º ªiÁ¥ÁðqÄU¼£Àß ªiÁr Cxª ªiÁqzÃ C£ÄªÆÃ¢¸vPzÀ.

(3) CvÀAv vÁvÁð ¸Az¨ðzº DAiÄÄP£Ä, MAzÄ ºtPÁ¸Ä ªµðzº LzÄ ®P gÆ¥Á¬ÄU½U «ÃgzAv ªZª£Àß, CAvº ªZª£Àß (2)£Ã G¥¥Pgtzr gÁdå ¸PÁðgªÀ C£ÄªÆÃ¢¹z ªÁ¶ðP Cxª ¥ÆgP DAiÄªÀAiÄ CAzÁf£º ¸Ãj¹®¢zÁUÆ ªiÁq®Ä ¸PªÄ£ÁVgvPzÀ.

(4) DAiÄÄP£Ä, MAzÄ ¨ÁjU Ujµ MAzÄ ®P gÆ¥Á¬ÄU½U M¼¥IÄ ªZz MAzÄ WIP¢Az E£ÆßAzÄ WIPPÀ, ¤¢U¼ ¥Ä£gï «¤AiÆÃU ªiÁqÄª C¢PÁgª£Æß ºÆA¢gvPzÀ.

31. ¯PÀ¥vU¼Ä ªÄvÄ ¯PÀ¥j±ÆÃz£.Š (1) DAiÄÄP£Ä, ¤AiÄ«Ä¸§ºÃzÁz CAx ¯PÀ¥vU¼ ¥À¸PU¼£Àß ªÄvÄ Evg jf¸gÄU¼£Àß ¤ªð»¸ÀªAv ªiÁqvPzÀ ªÄvÄ ¤AiÄ«Ä¸¯Áz «zÁ£zº ªÁ¶ðP ¯PÀ¥vU¼ «ªguAiÄ£Àß vAiiÁj¸vPzÀ.

(2) ¥Á¢PÁgz ºtPÁ¸Ä ªððªÀ ¥w PÁ¯Aqgï ªððz K¦¯ï 1£Ã ¢£ÁAPzAzÄ ¥ÁgA¨ªÁUvPzÀ ªÄvÄ ªÄÄA§gÄª PÁ¯Aqgï ªððz ªiÁZïð 31£Ã ¢£zAzÄ PÆ£UÆ¼vPzÀ.

(3) gÁdå ¯PÀ¥j±ÆÃz£ ªÄvÄ ¯PÀ¥v E¯ÁSAiÄ ¥zÁ£ ¤AiÄAvuÁ¢PÁjAiÄA ªÁ¶ðPªÁV ¥Á¢PÁgz ¯PÀ¥vU¼ ¯PÀ¥j±ÆÃz£AiÄ£Àß £q¸vPzÀ. ¥Á¢PÁg Cxª gÁdå ¸PÁðgªÀ ¸ªÄªwð ªÄvÄ «±Ãð ¯PÀ¥j±ÆÃz£UÁVAiÄÆ ¸º DzÃ²¸§ºÃzÄ.

(4) ¯PÀ¥j±ÆÃzP£Ä, ¯PÀ¥j±ÆÃz£AiÄ GzÀÃ±U½UÁV, ¥Á¢PÁgz J® ¯PÀ¥vU¼£Àß ªÄvÄ Evg zÁR¯U¼£Àß £ÆÃqÄª CªPÁ±ª£Àß ºÆA¢gvPzÀ.

(5) ¯PÀ¥vU¼ ªÁ¶ðP «ªguAiÄ£Àß ªÄvÄ ¯PÀ¥j±ÆÃzP£ ªg¢AiÄ£Àß ¹ÃPj¹z vgÄªÁAiÄ, ¸ÁzÀªÁzµÄ ¨ÃU£ ¥Á¢PÁgªÀ, v£ß ¸¨AiÄº Cz£Àß ¥j²Ãº¸vPzÀ ªÄvÄ ¯PÀ¥j±ÆÃzP£Ä ªiÁrz nÃPU¼Ã£ÁzgÆ EzÀº, CzPÀ ¤Ãrz v£ß «ªguAiÄ£Àß ªÄvÄ ¯PÀ¥j±ÆÃzP£Ä ¸Æa¹z CPªÄvU¼Ä Cxª ¯ÆÄ¥zÆÃU¼Ã£ÁzgÆ EzÀº, CªÀU¼ ¥jºÁgÆÃ¥ÁAiÄPÁV ¥Á¢PÁgªÀ PÈUÆAq PªÄz «ªguAiÆÁ¢U ªÁ¶ðP ¯P¥vU¼ «ªguAiÄ ºÁUÆ ¯PÀ¥j±ÆÃzP£ ªg¢AiÄ ¥wAiÄ£Àß gÁdå ¸PÁðgPÀ P¼Ä»¸vPzÀ.

(6) gÁdå ¸PÁðgªÀ, ¯PÀ ¥j±ÆÃzP£ ªg¢AiÄ£Àß ªÄvÄ (5)£Ã G¥¥Pgtz CrAiÄº v£U ¸º¸¯Áz Evg z¸ÁªÃdÄU¼£Àß ¥j²Ãº¹z vgÄªÁAiÄ vÁ£Ä ¸ÆPªAzÄ ¨Á«¸Äª CAx ¤zðÃ±£U¼£Àß ¥Á¢PÁgPÀ ¤Ãq§ºÃzÄ ªÄvÄ ¥Á¢PÁgªÀ CAx ¤zðÃ±£U¼£Àß ¥Áº¸vPzÀ.

32. ªg¢U¼Ä.Š (1) ¥Á¢PÁgªÀ, ¥wAiÆAzÄ ºtPÁ¸Ä ªððPÁV, v£ß PÁAiÄð¤ªðºu §UÉ ªÁ¶ðP ªg¢AiÆAz£Àß vAiiÁj¸vPzÀ ªÄvÄ 31£Ã ¥Pgtz CrAiÄº Evg ªg¢U¼ÆA¢U Cz£Àß gÁdå ¸PÁðgPÀ ¸º¸vPzÀ.

(2) ¥Á¢PÁgªÀ, ¤AiÄ«Ä¸§ºÃzÁz CAx ¢£ÁAPQAv ªÆz®Ä, CAx £ªÄÆ£AiÄº ªÄvÄ CAx ªÄzÀAvgU¼º ¤AiÄ«Ä¸¯Áz ªg¢U¼£Àß gÁdå ¸PÁðgPÀ ¸º¸vPzÀ ªÄvÄ gÁdå ¸PÁðgªÀ CAx ªg¢U¼£Àß gÁdå «zÁ£ªÄAq®z ¥wAiÆAzÄ ¸z£z ªÄÄAz ªÄAr¸ÀªAv ªiÁqvPzÀ.

CzÁåAiÀ V

¸AQÃtð

33. ¥Á¢PÁgªÀ v£Ü C¢PÁg ªÁå¦AiÀÆ¼V£ AiiÁªÀzÃ ¨Æ«ÄAiÀÄ£Àß ªiÁgÁI ªiÁqPÆqzÀ.Š ¥Á¢PÁgªÀ, v£Ü ªÁå¦AiÀÆ¼V£ AiiÁªÀzÃ ¨Æ«ÄAiÀÄ£Àß ¸PÁðgz ¥ÇªÁð£ÀªÆÃz£ ¥qAiÀz ºÆgvÀ, AiiÁªÀzÃ GzÀÃ±PÁV ªÀvÀ AiiÁªÇ§ ªÀQU ªiÁgÁI ªiÁqvPÀz®.

34. P®ªÀ ªÀQU¼À ¯ÆÃP£ËPggÁVgvPÀzÀ.Š ¥Á¢PÁgz J® ¸z¸ÀgÀ, C¢PÁjU¼À ªÀvÀ £ËPgg£Àß, CªgÀ F C¢¤AiÀªÀz AiiÁªÀªÃ G¥§AzU¼ C£Ä¸guAiÀº PÁAiÀð¤ªð»¸ÀwgÀªÁU CxªÁ PÁAiÀð ¤ªð»¸ÀwgÀªgAzÀ vÁvAiÀðªÁzÁU CªgÉß ¨ÁgwÃAiÀ zAq ¸A»vAiÀ 21£Ã ¥Pgtz Cxðªå¦AiÀÆ¼U ¯ÆÃP£ËPggÀ JA§ÀzÁV ¨Á«¸vPÀzÀ.

35. ¸zÀª£AiÀº PÉUÆAq PªÀz gPÀu.Š F C¢¤AiÀªÀz CrAiÀº, ¸zÀª£¬ÀAz PÉUÆAq CxªÁ PÉUÆ¼®À GzÀ²¹z AiiÁªÀzÃ PÀvÀPÁV, AiiÁªÇ§ ªÀQAiÀ «gÀz AiiÁªÀzÃ zÁª, ¥Á¹PÆ¼Æ£ï CxªÁ Evg PÁ£Æ£À ªÀªºguU¼£Àß ºÆqvPÀz®.

36. Pvðªå ¤ªðºuAiÀº ¯ÆÃ¥.Š (1) F C¢¤AiÀªÀz ªÀÆ®P CxªÁ Czg CrAiÀº «¢¸¯Áz AiiÁªÀzÃ Pvðªz ¤ªðºuAiÀº ¥Á¢PÁgªÀ ¯ÆÃ¥ ªiÁrz JAzÀ gÁdå ¸PÁðgPÀ ªÀ£ªjPÁiiÁzg, D Pvðªz ¤ªðºuUÁV CzÀ MAzÀ Cª¢AiÀ£Àß ¤U¢¥r¸vPÀzÀ.

(2) gÁdå ¸PÁðgz C©¥ÁAiÀzº, Czg Pvðªå ¤ªðºuUÁV ºÁU ¤U¢¥r¹z Cª¢AiÆ¼U CAx Pvðªå ¤ªðºu ªiÁqÀªº ¥Á¢PÁgªÀ «¥®ªÁzg CxªÁ ¤®ðPÀë vÆÃjzg, ¥Á¢PÁgPÀ ¯ÆÃ¥U¼£Àß ¸j¥r¸®À ¤zÃð±£ ¤ÃqÀªÀzÃ ¸PÁðgPÀ PÁ£Æ£À¸ªÀvªÁVgvPÀzÀ.

37. ¥Á¢PÁgz «WI£.Š (1) gÁdå ¸PÁðgªÀ, C¢¸ÆZ£AiÀ ªÀÆ®P, D C¢¸ÆZ£AiÀº ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ, ಪ್ರಾಧಿಕಾರವು ವಿಘಟಿತವಾಗತಕ್ಕದ್ದೆಂದು WÆÃ¶¸§ºÀzÀ:

ಪರಂತು, ಅಂಥ ಯಾವುದೇ ಘೋಷಣೆಯನ್ನು, ಆ ಅಭಿಪ್ರಾಯದ ಒಂದು UÆvÀª½AiÀ£Àß gÁdå «zÁ£ªÀÄAq®z G¨AiÀ ¸z£U¼ ªÀÄAz ªÀAr¹ CªÀU¼À Cz£Àß C£ÀªÆÃ¢¹z ºÆgvÀ, gÁdå ¸PÁðgªÀ ªiÁqvPÀz®.

(2) (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿನ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ದಿನಾಂಕದಿಂದ ¥juÁªÀPÁjAiiÁUÀªAv,Š

(J) ¥Á¢PÁgzº ¤»vªÁz ªÀvÀ CzjAz ª¸Æ¯ÁUvPÀ J® ¸vÀU¼À, ¤¢U¼À ªÀvÀ ¨ÁQU¼À gÁdå ¸PÁðgzº ¤»vªÁUvPÀzÀ ªÀvÀ CzÀ ª¸Æº ªiÁq§ºÀzÁVgvPÀzÀ.

(©) ¥Á¢PÁgz «gÀz eÁjªiÁq§ºÀzÁz J® ºÆuUÁjPU¼À, gÁdå ¸PÁðgzº ¤»vªÁz ಮತ್ತು ಅದರಿಂದ ವಸೂಲಿಯಾದ ಸ್ವತ್ತು, ನಿಧಿ ಮತ್ತು ಬಾಕಿಗಳಷ್ಟರ ಮಟ್ಟಿಗೆ gÁdå ¸PÁðgz «gÀz eÁjAiiÁU§ºÀzÁVgvPÀzÀ.

38. gÁdå ¸PÁðg¢Az ¤AiÀÄAvt.Š (1) ¥Á¢PÁgz J® PÁAiÀðZI¤nPU¼À ªÀvÀ ªÀªºÁgU¼ ªÀÄÃ¯ gÁdå ¸PÁðgªÀ ¸ÁªiÁ£å Dq½vÁvÀP ¤AiÀÄAvt ªÀvÀ ªÀÄÃºZÁguAiÀ£Àß ºÆA¢gvPÀzÀ.

(2) ¥Á¢PÁgz DAiÀÄPg CxªÁ ¥Á¢PÁgz C¢ÃÀz AiiÁªÇ§ C¢PÁjAiÀ AiiÁªÀªÃ £qª½U¼ zÁR¯U¼£Àß, CAx £qª½U¼ AiÀxÁxðv, PÁ£Æ£À §zÀv CxªÁ OavÀU¼ §UÀ vÁ£À ªÀ£ªjP ªiÁrPÆ¼ÀªÀ GzÀÃ±PÁV gÁdå ¸PÁðgªÀ, vj¹PÆ¼§ºÀzÀ ªÀvÀ CªÀU¼ §UÀ vÁ£À ¸ÆPªAzÀ ¨Á«¹z CAx DzÃ±ª£Àß ºÆgr¸§ºÀzÀ.

39. ¤zÃð±£U¼£Àß ¤ÃqÀªÀzPÀ gÁdå ¸PÁðgz C¢PÁg.Š gÁdå ¸PÁðgªÀ, F C¢¤AiÀªÀz GzÃ±U¼£Àß eÁjUÆ½¸ÀªÀzPÁV vÁ£À Cª±ÀP ªÀvÀ AiÀÄÃPªAzÀ C©¥ÁAiÀÄ¥qÀªAx ¤zÃð±£U¼£Àß ¥Á¢PÁgPÀ ¤Áq§ºÀzÀ ªÀvÀ CAx ¤zÃð±£U¼£Àß ¥Áº¸ÀªÀzÃ ¥Á¢PÁgz PvðªåªÁVgvPÀzÀ.

40. vÆAzgU¼ ¤ªÁgu.Š F C¢¤AiÀªÀz G¥§AzU¼£Àß eÁjU vgÀªº, AiiÁªÀzÃ vÆAzg Gz«¹zg, D vÆAzgAiÀ ¤ªÁguUÁV, F C¢¤AiÀªÀz G¥§AzU½U C¸AUvªÁUz

vÁ£Ä Cª±ÀP ªÀÄvÀÄ AiÀÄÄPªÁzÀ C©¥ÁAiÀÄ¥qÀªÁx G¥§AzÀU¼£ÀÄß gÁdå ¸PÁðgªÀ C¢¸ÆZ£AiÀÄ ªÀÄÆ®P ªiÁq§ºÀzÀÄ:

¥gAvÀÄ F C¢¤AiÀÄªÀÄz ¥ÁgA¨z ¢£ÁAP¢Az JgqÀÄ ªµðU¼À ªÀÄÄPÁAiÀÄªÁz vgÀªÁAiÀÄ CAx DzÃ±ª£ÀÄß ªiÁqvPzÀ®.

41. ¤AiÀÄªÀÄU¼ gZ£Á¢PÁg.Š (1) F C¢¤AiÀÄªÀÄz GzÃÝ±U¼£ÀÄß PÁAiÀÄðUvUÆ½¸ÀªÀzPÁV ¥ÆªÀð ¥PlIuAiÀÄ vgÀªÁAiÀÄ, gÁdå ¸PÁðgªÀ C¢¸ÆZ£AiÀÄ ªÀÄÆ®P, ¤AiÀÄªÀÄU¼£ÀÄß ga¸§ºÀzÀÄ.

(2) F C¢¤AiÀÄªÀÄz CrAiÀÄ° ga¸¯Áz ¥wAiÆAzÀÄ ¤AiÀÄªÀÄ CxªÁ C¢¸ÆZ£AiÀÄ£ÀÄß, Cz£ÀÄß ga¹z vgÀªÁAiÀÄ, Dzà¶Ä ¨ÃU£, gÁdå «zÁ£ªÀÄAq®z ¥wAiÆAzÀÄ ¸z£z ªÀÄÄAz, CzÀÄ C¢ªÃ±£z°gÀªÁU, MAzÀÄ C¢ªÃ±£z° CxªÁ JgqÀÄ CxªÁ ºa£ ¤gAvg C¢ªÃ±£U¼° CqPªÁU§ºÀzÁz MlÄ ªÀÄÆªvÀÄ ¢£U¼ CªÀ¢AiÀÄªgU ªÀÄAr¸vPzÀÄ ªÀÄvÀÄ ªÀÄÃ¯ ºÃ½z C¢ªÃ±£U¼ CxªÁ ¤gAvg C¢ªÃ±£U¼ ¤Pl vgÀªÁAiÀÄz C¢ªÃ±£z ªÀÄÄPÁAiÀÄP ªÆz®Ä D ¤AiÀÄªÀÄ CxªÁ C¢¸ÆZ£AiÀÄ° AiÀÄÁªÀzÃ ªiÁ¥ÁðlI£ÀÄß ªiÁq¨ÃPAzÀÄ G¨AiÀÄ ¸z£U¼Æ M¦zg CxªÁ D ¤AiÀÄªÀÄ CxªÁ C¢¸ÆZ£AiÀÄ ªiÁqPÆqzAzÀÄ G¨AiÀÄ ¸z£U¼Æ M¦zg, D ¤AiÀÄªÀÄ CxªÁ C¢¸ÆZ£AiÀÄ D ªiÁ¥ÁðlI£ÀÄß CxªÁ gzwAiÀÄ£ÀÄß C¢¸Æa¹z ¢£ÁAP¢Az CAx ªiÁ¥ÁðmÁz gÆ¥z° ªiÁv ¥juÁªÀÄPÁjAiiÁVgvPzÀÄ CxªÁ ¸Az¨Áð£À¸ÁgªÁV AiiÁªÀzÃ ¥juÁªÀÄ ºÆA¢gvPz®; DzÁUÆ CAx AiiÁªÀzÃ ªiÁ¥ÁðlÄ CxªÁ gzwAiÀÄÄ D ¤AiÀÄªÀÄ CxªÁ C¢¸ÆZ£AiÀÄ CrAiÀÄ° ¹AzÀvP ¥ÆªÁðUºªÁV »Az ªiÁrz AiiÁªÀzÃ Pvz ªiÁ£vU ¨ÁzPªÁUvPz®.

42. «¤AiÀÄªÀÄU¼ gZ£Á¢PÁg.Š ¥Á¢PÁgªÀ, F C¢¤AiÀÄªÀÄz G¥§AzU½U ªÀÄvÀÄ 41£Ã ¥Pgtz CrAiÀÄ° ªiÁq¯Áz ¤AiÀÄªÀÄU½U M¼¥lÄ ªÀÄvÀÄ gÁdå ¸PÁðgz ¥Çªð ªÀÄAdÆgÁwAiÆA¢U F C¢¤AiÀÄªÀÄz GzÃÝ±U¼£ÀÄß eÁjUÆ½¸ÀªÀzPÁV C¢¸ÆZ£AiÀÄ ªÀÄÆ®P «¤AiÀÄªÀÄU¼£ÀÄß ga¸§ºÀzÀÄ.

C£À¸Æa

[2£Ã ¥Pgtz (e) RAqª£ÀÄß ªÀÄvÀÄ 19£Ã ¥Pgtª£ÀÄß £ÆÃr]

¸ªðd PÃv, ¥ÁgA¥jP PÃAzU¼À ªÀÄvÀÄ ¸ÁgPU¼À

¸ASå	vÁtU¼À
1	C§®ÆgÀ
2	ªiÁ¸ÆgÀ
3	»gÃPgÆgÀ
4	¥Á¢PÁgz C©¥ÁAiÀÄz° ªÀÄÄ°£ vÁtU½U ¸A¥Pðª£ÀÄß P°¸Àª ºÁªÀj f¯AiÀÄ°£ Evg vÁtU¼À

GzÃÝ±U¼À ªÀÄvÀÄ PÁgtU¼ ºÃ½P

¸ªðd P£ÁðlPz ±Ãµ ¥ÁaÃ£ P« ªÀÄvÀÄ ¸ªiÁd ¸ÀzÁgPgÁVzgÀ ªÀÄvÀÄ CªgÀ ºÁªÀj f¯AiÀÄ »gÃPgÆgÀ vÁ®ÆQ£ C§®Æj£° d¤¹zgÀ. DzjAz, ¸ªðdg d£ ¸¼ª£ÀÄß M¼UÆAqÀ »gÃPgÆj£ ¸ÀvªÀÄÄv°gÀª ºÁªÀj f¯AiÀÄ »gÃPgÆgÀ vÁ®ÆQ£ C§®ÆgÀ ªivÀ ªiÁ¸ÆgÀU¼ ¸ªðd PÃvª£ÀÄß CAvggÁ¶ÃAiÀÄ AiiÁvÁ ªÀÄvÀÄ ¥ªÁ¹ PÃAzª£ÁV C©ªÈ¢üUÆ½¸®Ä ªÀÄvÀÄ ¤ªðºu ªiÁq®Ä ¥Á¢PÁgª£ÀÄß ¸Á¦¸ÀªÀzÃ Cª±PªÁzÀ ¥jUt¹z.

DzjAz, F «zÃAiÀÄP.

DyðP eÁ¥£ ¥v

¥¸Á«v ±Á¸£ÁvÀP PªÀ¢Az ªµðªÇAzÀP ¸ÀªiÁgÀ LzÀ PÆÃn gÆ¥Á¬ÄU¼ DªvðP ªZ GAmÁUÀªÀzÀ.

¥vÁAiÆÃfv ±Á¸£ gZ£Á¢PÁgz PÀjvÀ eÁ¥£ ¥v

RAq 4:	(3)£A G¥RAqªÀ, ¸PAðgÀvg ¸z¸ÀgÀ ¥qAiÀÄª ¨vÀU¼ PÀjvÀ ¤AiÀªÀU¼ ªÀÆ®P ¤AiÀ«Ä¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.
RAq 8:	(2)£A G¥RAqz (J), (©), ªÀvÀ (¹) ¨À§ÀU¼ C£ÀPªÀªÀV, (i) ¥Á¢PÁgªÀ J¯Á PgÁgÀU¼£ÀÄ ªiÁrPÆ¼®Ä ªÀvÀ £gªÃj¸®Ä M¼¥qvPÀ ¤AiÀªÀU¼£ÀÄ ga¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz. (ii) F C¢¤AiÀªÀz GzÃÀ±U½UÁV ¥Á¢PÁgªÀ CUvÀªÁz AiiÁªÀzÀ ªÆ§®U£ÀÄ ¸Á®ªÁV ¥qAiÀÄª µgvÀU¼ PÀjvÀ ¤AiÀªÀU¼£ÀÄ ga¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz, ªÀvÀ (iii) AiiÁª ¤§ðAzU¼Ä, µgvÀU¼Ä ªÀvÀ ¥j«ÀwU½U M¼¥ÌÄ ªÀÄP ¸À¼U¼£ÀÄ gÆ¦¸Àª CxªÁ PÌqz GzÃÀ±U¼ CxªÁ C©ªÀ¢À AiÆÃd£AiÀ AiiÁªÀzÀ Evg jÃwAiÀ GzÃÀ±z PÀjvÀ ¤AiÀªÀU¼£ÀÄ ga¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.
RAq 12:	(1)£A G¥RAqªÀ, ¥A¢PÁgªÀ £AªÀP ªiAqÀª CAx £ËPgg ¸ASÀAiÀ PÀjvÀ ¤AiÀªÀU¼£ÀÄ ga¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz ªÀvÀ (3)£Ã G¥RAqªÀ, ¥Á¢PÁgz £ËPgg ¸A§¼U¼Ä, ¨vÀU¼Ä ªÀvÀ Evg ¸ÃªÁ µgvÀU¼ PÀjvÀ ¤AiÀªÀU¼£ÀÄ ga¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.
RAq 16:	(4)£A G¥RAqªÀ, ¸Áw¸¯Az n¥ÉAiÀºAiÀ M¼AA±U¼£ÀÄ ¤AiÀªÀU¼ ªÀÆ®P ¤AiÀ«Ä¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.
RAq 19:	C£À¸ÆaAiÀ£ÀÄ wzÀ¥r ªiAqÀªÀzPÀ ¸PAðgªÀ C£À¸j¸¨APÁz ¥QAiÀAiÀ PÀjvÀ ¤AiÀªÀU¼ ªÀÆ®P ¤AiÀ«Ä¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.
RAq 30:	¥A¢PÁgªÀ vAiiÀj¸¨APÁz DAiÀªÀAiÀ £ªÀÆ£AiÀ PÀjvÀ ¤AiÀªÀU¼ ªÀÆ®P ¤AiÀ«Ä¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.
RAq 31:	¥A¢PÁgªÀ ¯P¥vU¼ ¥A¸PU¼Ä, Evg jf¸gÀU¼Ä ªÀvÀ ªÀ¶ðP ¯P¥vU¼ «ªgU¼£ÀÄ ¤ªð»¸¨ÃPÁz «zÁ£z PÀjvÀ ¤AiÀªÀU¼ ªÀÆ®P ¤AiÀ«Ä¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.
RAq 41:	C¢¤AiÀªÀz GzÃÀ±U¼£ÀÄ eAjUÆ½¸®Ä ¥Æªð ¥PÌuAiÀ vgÀªÀAiÀ ¤AiÀªÀU¼£ÀÄ ga¸®Ä gÁdÀ ¸PÁðgPÀ C¢PÁgª£ÀÄ ¤ÃqÀvz.

¥¸Á«v ±Á¸£ gZ£Á¢PÁgz ¥vÁAiÆÃd£AiÀÄ ªÁrPAiÀ ¸gÆ¥zÁVz.

Dgï. C±ÆÃP
PAzÁAiÀ ªÀAwU¼Ä

JA.P. «±Á¯ÁQ
PÁAiÀðz²ð (¥)
P£ÁðÌP «zÁ£ ¸¨

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE SARVAJNA KSHETRA DEVELOPMENT AUTHORITY BILL, 2020

(LA Bill No. 16 of 2020)

A Bill to provide for the establishment of an Authority for the development and maintenance of Sarvajna Kshetra including the place of birth of Sarvajna and other places situated in and around Hirekerur, Abalur and Masur of the Hirekerur taluk in Haveri district.

Whereas, it is expedient to provide for the establishment of an Authority for the development and maintenance of the Sarvajna Kshetra including the place of birth of Sarvajna and other places situated in and around Hirekerur, Abalur and Masur of the Hirekerur taluk in Haveri district into an international pilgrim, cultural and tourist center;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India, as follows:-

CHAPTER I
PRELIMINARY

1. Short title and commencement.- (1) This Act may be called Sarvajna Kshetra Development Authority Act, 2020.

(2) It shall come into force on such date as the State Government may, by notification, in the Official Gazette appoint.

2. Definitions.- In this Act, unless the context otherwise requires,-

(a) "Amenity" includes road, streets, sub-ways, lighting, drainage, sanitation, electricity and water supply or other convenience, public works, market places, post offices, banks, hospitals, dispensaries, public stations, fair price shops, milk booths, libraries, recreation centres, service stations of any public utility service authorized by the Authority or other facility; and such other amenities as the State Government may by notification specify;

(b) "Authority" means the Sarvajna Kshetra Development Authority constituted under section 3;

(c) "Chairman" means the Chairman of the Authority;

(d) "Commissioner" means the Commissioner of the Authority appointed under section 10;

(e) "Fund" means fund of the Authority;

(f) "Government" means Government of Karnataka;

(g) 'Sarvajna Kshetra' means the whole of the area comprising the sites specified in the Schedule but excluding the area referred to as protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958) and such other areas declared by the State Government, by notification;

(h) "Member" means a member of the Authority;

(i) "Regulations" means regulations of the Authority made under section 42; and

(j) "Schedule" means the schedule appended to this Act.

CHAPTER – II
AUTHORITY AND ITS EMPLOYEES

3. Sarvajna Kshetra Development Authority.- (1) The State Government shall as soon as may be, after the commencement of this Act, constitute for the purposes of this Act, the Authority called the Sarvajna Kshetra Development Authority.

(2) The Authority shall have its headquarters at such place as may be determined by the Authority from time to time.

(3) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable, and enter into contract, and shall by the said name, sue and be sued.

(4) The Authority shall consist of the following members, namely: -

(a) The Chief Minister, who shall be the Chairman;

(b) The Minister in charge of Haveri District who shall be the Vice Chairman;

(c) The Minister in charge of Kannada and Culture- Member

(d) The Minister in charge of Revenue - Member

(e) The Minister in charge of Finance. - Member

(f) The Minister in charge of Tourism. - Member

(g) The Minister in charge of Public Works . - Member

(h) The Members of the Loksabha and Legislative Assembly who are representing the part or whole of Sarvajna Kshetra and Members of the Rajyababha and Legislative Council who are registered as voter in Sarvajna Kshetra. - Members

(i) The Principal Secretary or Secretary to Government, Kannada and Culture Department. - Ex-officio Member

(j) The Principal Secretary or Secretary to Government, Revenue Department. - Ex-officio Member

(k) The Additional Chief Secretary or Principal Secretary or Secretary to Government, Finance Department. - Ex-officio Member

(l) The Principal Secretary or Secretary to Government, Rural Development and Panchayat Raj Department. - Ex-officio Member

(m) The Principal Secretary or Secretary to Government, Public Works Department. - Ex-officio Member

(n) The Regional Commissioner of Belgavi Region. - Ex-officio Member

(o) The Deputy Commissioner of the Haveri District - Ex-officio Member

(p) The Director, Department of Archaeology and Museums - Ex-officio Member

(q) The Joint Director, Karnataka Land Army Corporation - Ex-officio Member

(r) The Chief Executive Officer, Zilla Panchayat, Haveri. - Ex-officio Member

(s) The Executive Engineer, Public Works Department, Haveri - Ex-officio Member

(t) The President, Grama Panchayats of Abalur and Masur - Ex-officio Member

(u) Not exceeding Three non-official members nominated by the State Government - Non-official Members

(v) Not exceeding five persons who are expert in history and heritage of servajna to be nominated by the State Government - Non-official Members

(w) The Commissioner of the Authority . - Member Secretary.

4. Term of office and conditions of services.- (1) Subject to the pleasure of the State Government the non-official members nominated by the State Government shall hold office for a period of three years.

(2) Any non-official member may resign his office by writing under his hand addressed to the State Government but shall continue in office until his resignation is accepted.

(3) The non-official members shall receive such allowance as may be prescribed.

5. Disqualification for office of membership.- Non-official members shall be disqualified for being appointed as and for being a member if he,-

(a) has been convicted and sentenced to imprisonment for an offence, which in the opinion of the State Government involves moral turpitude; or

(b) is of unsound mind and stands so declared by a competent court; or

(c) is an undischarged insolvent; or

(d) has been removed or dismissed from service of the Central Government or a State Government or a body or corporation owned or controlled by the Central Government or a State Government; or

(e) has directly or indirectly by himself or as partner, has any share or interest in any work done by the order of the Authority in any contract or employment with or under or by or on behalf of the Authority; or

(f) is employed as a paid legal practitioner on behalf of the Authority or accepts employment as legal practitioner against the Authority;

Provided that no person shall be disqualified under clause (e) or be deemed to have any share or interest in any contract or employment within the meaning of the said clause by reason only of his having a share or interest in any newspaper in which any advertisement relating to the affairs of the Authority is inserted.

6. Removal of non-official member.- The State Government shall remove a non-official member if,-

(a) he becomes subject to any of the disqualifications mentioned in section 5:

(b) he refuses to act or becomes incapable of acting; or

(c) he without obtaining leave of absence from the Authority absents from three consecutive meetings of the Authority:

(d) in the opinion of the State Government he has so abused his position as to render his continuance in office detrimental to the public interest:

Provided that no member shall be removed under this clause unless he has been given an opportunity of making his representation against the proposal.

7. Eligibility for reappointment.- Any person ceasing to be a member shall unless removed under section 6, be eligible for re-appointment as a member.

8. Powers of the Authority (1) The Authority shall have power generally to do anything that in its opinion is necessary to do, to give effect to the intent and provisions of this Act:

Provided that nothing contained in this section shall be deemed to authorize the Authority to perform any such act as is specifically laid in the Act to be performed by any other authority.

(2) Without prejudice to the generality of sub-section (1), the Authority shall have power,-

(a) to enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of the purposes of this Act subject to such rules as may be prescribed and every contract shall be made on behalf of the Authority by the Commissioner:

Provided that no contract involving expenditure of rupees five lakhs and more shall be made without the previous sanction of the State Government;

(b) to borrow any sum required for the purposes of this Act from time to time with the previous sanction of the State Government and subject to such conditions as may be prescribed in this behalf;

(c) to lease, sell or otherwise transfer any movable or immovable property which belongs to it and to appropriate or apply any land vested in or

acquired by it, subject to section 38 and 39 and to such restrictions, conditions and limitations as may be prescribed, for the formation of open spaces or for building purposes or in any other manner for the purpose of a development scheme with prior approval of the State Government.

9. Sub-committees of the Authority. - (1) The Authority may for any specific purpose constitute one or more sub-committees consisting of the Commissioner as the Chairman and such other members not exceeding five on each sub-committee. Any subject deliberated and decided in the sub-committee shall be placed before the meeting of the authority for approval or rejection. The decision may be remanded back to the sub-committee.

(2) The sub-committees shall exercise such of the powers and perform such duties of the Authority, which are delegated to them by the Authority.

(3) Each sub-committee shall meet at-least once in three months and shall observe such rules of procedure in regard to the transaction of business at its meeting as may be provided by regulations.

10. Appointment of Commissioner.- (1) The State Government shall appoint an officer not below the rank of a Deputy Secretary to Government, to be the Commissioner of the Authority.

(2) The Commissioner shall receive such salary and other allowances as the State Government may, from time to time, determine. The conditions of service of the Commissioner shall be governed by the Karnataka Civil Service Rules.

(3) The State Government may, from time to time, grant leave of absence for such period as it thinks fit to the Commissioner.

11. Powers and duties of the Commissioner.- (1) The Commissioner shall be the Chief Executive and Administrative Officer of the Authority.

(2) The Commissioner shall, in addition to performing such functions as conferred on him by or under this Act or under any law for the time being in force,-

(a) Implement the resolutions of the Authority;

(b) conduct the business of the Authority and to make the correspondence;

(c) carry out and execute such schemes and works as the Government may direct and incur necessary expenditure thereof;

(d) be responsible for implementing the schemes of the Authority;

(e) operate the Bank accounts of the Authority and be responsible for maintaining the accounts of the Authority ;

(f) exercise supervision and control over the officers and servants of the Authority in matters of executive, administrative and service conditions of such officers and servants and regulation of their pay and allowances;

(g) furnish to the State Government the copies of the minutes of the Authority and any written, or other information which the State Government may, from time to time, call for;

(h) discharge such other functions which are conferred on him by or under this Act or any other law for the time being in force.

12. Employees of the Authority.- (1) Subject to such rules as may be prescribed, the Authority may appoint such number of employees as it may find necessary for effective implementation of the Act:

Provided that, the State Government shall appoint a Controller of Finance and Accounts not below the rank of Group 'A' Junior Scale Officer' on deputation from the Karnataka State Audit and Accounts Service.

(2) The Controller of Finance and Accounts shall report to the Commissioner and shall ensure that financial rules are followed and accounts are kept up to date, by presenting a true and fair picture of the financial affairs of the Authority.

(3) The method of recruitment, salaries, allowances and other conditions of service of the employees referred to in sub-section (1), shall be such as may be prescribed.

(4) The Commissioner shall be the appointing authority in respect of employees of the Authority and shall exercise general control and supervision over the personnel of the Authority.

13. General disqualification for services under the Authority.- No person who has directly or indirectly by himself or through his partner or through his agent, has any share or interest in any contract, by or on behalf of the Authority shall become or remain an officer or employee of the Authority.

14. Meetings of the Authority.- (1) Meetings of the Authority shall be convened by the Commissioner, with the previous approval of the Chairman at such intervals as the Chairman may deem fit and shall be held at such place, as may be determined by the Chairman:

Provided that the Authority shall meet at least twice in a calendar year.

(2) Every meeting shall be presided over by the Chairman and if for any reason the Chairman is unable to attend any meeting, the Vice Chairman shall preside over the meeting. If, for any reason the Vice Chairman is unable to attend the meeting, any other member chosen by the members present at the meeting, shall preside over the meeting.

(3) Decisions of the Authority shall be, by unanimous affirmative vote of the members present and voting. If there is any difference of opinion on any particular subject coming for decision before the Authority, the Commissioner shall refer the matter to the State Government and the decision of the State Government in such matters shall be final.

(4) The Commissioner of the Authority shall give effect to the decisions of the Authority:

Provided that, if in the opinion of the Commissioner any resolution of the Authority contravenes any provision of this Act or any other law or of any rule or notification or regulation made or issued under this Act or any other law or of any order passed by the State Government or is prejudicial or detrimental to the interests of the Authority or the development and maintenance of the site, he shall within fifteen days of the passing of the resolution, refer the matter to the State Government for orders thereon and inform the Authority at its next meeting, of the action taken by him and until orders of the State Government on receipt of such reference, the Commissioner shall not be bound to give effect to such resolution.

(5) The Authority may by regulation specify the procedure with regard to the transaction of business at its meetings, not inconsistent with the provisions of this Act or the rules made thereunder.

15. Proceedings presumed to be good and valid.- No disqualification of or defect in the appointment of any person acting as Chairman, Vice-Chairman or member shall be deemed to vitiate any act or proceeding of the Authority if such act or proceeding is otherwise in accordance with the provisions of this Act.

16. Decisions of the Authority by circulation of note.- (1) The Chairman may direct that any case may, instead of being brought up for discussion at a meeting of the Authority, be circulated by sending a note in the prescribed form amongst the members of the Authority for opinion. If all the members unanimously agree for the proposal contained in the note circulated, it shall be deemed to be affirmative decision of the Authority and further action taken accordingly. If there is any difference of opinion on any particular subject taken up for the decision of the Authority by circulation, the Commissioner shall refer the matter to the State Government, and the decision of the State Government thereon shall be final.

(2) In cases which are circulated for opinion under sub-section (1), if any member fails to communicate his opinion to the Commissioner by a date to be specified in the note, it shall be presumed that such member has accepted the proposal contained in the note circulated.

(3) The provisions of section 14 shall mutatis mutandis apply to the decisions of the Authority by circulation under this section.

(4) The Contents of the note for circulation made under sub-section(1) shall be prescribed.

17. Power of Chairman to take certain decisions.- Where the Chairman is of the opinion that a matter is so urgent that it cannot wait or that a matter is so frivolous, not necessitating convening of a meeting of the Authority, under section 14 or for decision of the Authority by circulation under section 16, he may

pass such orders as he may deem fit and it shall be implemented in the same manner as the decisions of the Authority:

Provided that every decision so taken by the Chairman under this section shall be placed before the Authority at its next meeting.

CHAPTER – III

DEVELOPMENT AND MAINTENANCE OF SARVAJNA KSHETRA

18. Heritage sites at Sarvajna Kshetra.- (1) Notwithstanding any custom, tradition, practice or terms of any trust created and subsisting under any law for the time being in force, the full control, ownership, management and superintendence of all or any of the heritage sites specified in the Schedule if not already vested in the State Government shall if required, be acquired by the State Government in accordance with the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No. 30 of 2013) and such land shall thereafter be transferred to the Authority from the date notified by the State Government:

Provided that the land acquired under this Act shall be deemed to have been acquired for public purpose under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013).

(2) The State Government may by general or special order make transitory provisions, if in the opinion of the State Government it is expedient to do so.

19. Power to amend the Schedule.- The State Government may by notification amend the Schedule by adding or modifying any entry therein, after following such procedure as may be prescribed.

20. Preparation of development plan, its approval and execution.- (1) The Authority shall, as soon as may be, after its constitution prepare a plan for the development and maintenance of Sarvajna Kshetra into international piligrim, cultural and tourist centre and a centre for deliberation and propagation of the tenets of poet Sarvajna. The Development plan may include,-

(a) Conservation and restoration of any heritage site or structure and programmes for its maintenance and reconstruction;

(b) proposals for acquiring land by acquisition or purchase, exchange or otherwise, which in the opinion of the Authority is necessary for execution of the development plan;

(c) putting up public parks, horticultural or zoological gardens, fountains, artificial water falls, game parks, lakes with boating or other water games or such other tourist attractions;

(d) construction of choultries, lodging houses, cottages, hotels, restaurants and boarding houses to cater to different classes of tourists;

(e) construction of necessary shopping line or shopping complexes;

(f) provision of amenities as defined in clause (a) of section 2 and providing drainage, electricity and water supply and sanitation;

(g) raising any land which the Authority may consider expedient to facilitate its plan of action in general and for better drainage in particular;

(h) forming open spaces for the better ventilation of the area comprised in the Sarvajna Kshetra in any adjoining area;

(i) construction and reconstruction of buildings, their maintenance and preservation;

(j) undertake development works in the area of Sarvajna Kshetra or the area decided by the Authority;

(k) providing facilities for communication and transport;

(l) such adjustments and agreements with the existing religious institutions in the geographical area of developmental plan which can be allowed to continue so long as they fit into the scheme of the development plan;

(m) any other matter which in the opinion of the Authority, is expedient and incidental, to develop and maintain the Sarvajna Kshetra as a cultural centre, place of pilgrimage and International Tourist Center and a centre for deliberation not only of Sarvajna but also of his contemporaries and disciples; and to protect and develop other places of importance connected with the life and teachings of Sarvajna and his contemporaries, and research centre for studies and specialized library on the subject;

(n) excavation and exploration of archaeological nature to unearth ancient monuments if any believed to be buried in any of the historical and heritage sites within the territorial limits of the Authority:

Provided that nothing contained in this clause shall be deemed to override the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958).

(2) The development plan prepared under sub-section (1) shall be forwarded by the Commissioner to the State Government for its approval. The State Government may approve the plan with or without any modifications.

(3) After approval of the development plan under sub-section (2), the State Government may, on the recommendations of the Authority make such modifications to the plan as it deems necessary, from time to time.

(4) The Authority shall have power to undertake works and incur expenditure for the execution of the development plan approved by the State Government under this section.

21. Maintenance of Sarvajna Kshetra.- The State Government may by rules on the recommendation of the Authority or otherwise make provision for the maintenance of Sarvajna Kshetra which shall include the manner in which

the properties of the Authority including the heritage sites can be employed, the rates, fees or other charges that can be collected from the devotees, piligrims, tourists and other visitors for the various facilities that they could make use of and for such other matters as may be expedient from the premises of the heritage sites; power to recover rent or damages as arrears of land revenue etc.

22. Delegation of powers of the State Government to the Authority.- Notwithstanding anything contained in the Karnataka Ancient and Historical Monuments and Archaeological Sites and Remains Act, 1961 (Karnataka Act 7 of 1962) the State Government may by notification delegate any of its powers to be exercisable by it except power to make rules to the Authority and on the issuance of such notification the Authority shall have such powers and perform such functions as may be specified in the notification.

23. Application of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 to the Authority Premises.- (1) Subject to the provisions of sub-section (2) the State Government, may by notification provide from such date as may be specified in the notification that the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974) shall apply to premises belonging to, vesting in, or leased by the Authority as that Act applies in relation to public premises.

(2) On a notification being issued under sub-section (1), the aforesaid Act, and the rules made thereunder shall apply to the premises of the Authority with the following modifications, that is to say,-

(a) the State Government may appoint any officer of the State Government or of the Authority as it thinks fit, to be the competent officer for the purposes of the aforesaid Act; and

(b) reference to Public Premises in that Act and those rules shall be deemed to be references to premises of the Authority and references to the State Government in sections 6,7,8,14, 15, 16 and 17 of that Act shall be deemed to be references to the Authority.

24. No other authority or person to undertake development without permission of the Authority.- (1) Notwithstanding anything contained in any law for the time being in force, except with the previous permission of the Authority no authority or person shall undertake any development within Sarvajna Kshetra of the types as the Authority may from time to time specify by notification published in the Official Gazette.

(2) No local authority shall grant permission for any development referred to in sub-section (1), within Sarvajna Kshetra, unless the Authority has granted permission for such development.

(3) Any authority or person desiring to undertake development referred in sub-section (1) shall apply in writing to the Authority for permission to undertake such development.

(4) The Authority may, after making such inquiry as it deem necessary grant such permission with or without conditions, as it may deem fit to impose or refuse to grant such permission.

(5) Any authority or person aggrieved by the decision of the Authority under sub-section (4) may, within thirty days from the date of the decision, appeal

against such decision to the State Government, whose decision thereon shall be final:

Provided that, where the aggrieved authority submitting such appeal is under the administrative control of the Central Government, the appeal shall be decided by the State Government, after consultation with the Central Government.

25. Promotion of Tourism and pilgrimage by the Authority.- The Authority may organize programmes and activities for promotion of tourism, cultural, historical and pilgrimage importance-to give wider publicity to the heritage sites. Such programmes may include,-

(a) Sarvajna Jayanthi Utsava;

(b) Sarvajna Sahityotsava;

(c) Art Exhibitions and Sales;

(d) Seminars, Symposia, workshops; and

(e) Annual Fairs and Festivals of special nature.

26. Delegation of powers.- (1) The State Government, may by notification, delegate any of the powers conferred on it by or under this Act, to any other authority, except the power to make rules under section 41.

(2) The Authority may by regulations, delegate any of the powers conferred on it by or under this Act to the Commissioner or other officers of the Authority except the power to make regulations under section 42.

CHAPTER IV
FINANCE AND PROPERTY

27. Fund of the Authority.- (1) There shall be a Fund called Sarvajna Kshetra Development Authority Fund.

(2) There shall be credited to the said Fund,-

(i) all grants, subventions, donations and gifts made by the Central Government, State Government, any local authority or any body, whether incorporated or not or any person;

(ii) the amount borrowed by the Authority; and

(iii) all other sums received by or on behalf of the Authority from any source whatsoever.

(3) Except as otherwise directed by the State Government all moneys credited to the Fund shall be invested in any Scheduled Bank or in the State Government Treasury.

(4) The administrative expenses of the Authority including the salaries, allowances and pension if any, payable to the Commissioner and other officer and employees of the Authority shall be defrayed out of the fund of the Authority.

28. Application of the Fund.- The Fund and all property held or vested in the Authority shall be applied for carrying out the purposes of this Act.

29. Grant by the State Government.- The State Government may every year make a grant to the Authority of a sum equivalent to the administrative expenses of the Authority, until the Authority reaches self maintenance stage out of its own resources.

30. Budget of the Authority.- (1) The Authority shall prepare every year, before such date and in such form as may be prescribed, a budget estimate of its income and expenditure for the financial year to commence on the first day of April next following and shall forward it to the State Government for sanction. The Authority may also prepare supplementary Budget Estimates, during the course of any financial year, if necessary.

(2) The State Government shall approve the Budget Estimates and Supplementary Budget Estimates with or without modifications.

(3) In cases of extreme urgency, the Commissioner shall be competent to incur expenditure not exceeding five lakhs of rupees in a financial year, notwithstanding the fact that such expenditure has not been included in the annual or Supplementary Budget Estimate approved by the State Government under sub-section (2).

(4) The Commissioner shall also have power to reappropriate funds from one unit of expenditure to another unit, subject to a maximum of rupees one lakh at a time.

31. Accounts and audit.- (1) The Commissioner shall cause to be maintained such books of accounts and other registers as may be prescribed and shall prepare in the prescribed manner an annual statement of accounts.

(2) The financial year of the Authority shall commence on 1st day of April of each calendar year and shall end on 31st day of March of the succeeding calendar year.

(3) The accounts of the Authority shall be audited annually by the Principal Controller, State Audit and Accounts Department. The Authority or the State Government may order concurrent and special audits also.

(4) The auditor shall, for the purposes of the audit, have access to all the accounts and other records of the Authority.

(5) As soon as may be after the receipt of the annual statement of accounts and the report of the auditor, the Authority shall consider it in its meeting and send a copy of the annual statement of accounts together with a copy of the report of the auditor to the State Government, along with its explanation on the comments made by the auditor, if any, and a statement of action taken by the Authority to remedy the irregularities or loopholes, if any, pointed out by the auditor.

(6) The State Government may after perusal of the report of the auditor, and other documents submitted to it, as in sub-section (5), give such directions as it thinks fit to the Authority and the Authority shall comply with such directions.

32. Reports.- (1) The Authority shall prepare an Annual Report of its working for each financial year and submit it to the State Government along with other reports under section 31.

(2) The Authority shall before such date, in such form and at such intervals as may be prescribed, submit the prescribed reports to the State Government and the State Government shall cause such reports be laid before each House of the State Legislature.

CHAPTER V
MISCELLANEOUS

33. Authority not to sell any land within its jurisdiction.- The Authority shall not sell any land within its jurisdiction for any purpose and to any person except with the prior approval of the Government.

34. Certain persons to be public servants.- All members, officers and servants of the Authority, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

35. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or purported to be done under this Act.

36. Default in performance of duty.- (1) If the State Government is satisfied that the Authority has made default in performing any duty imposed on it by or under this Act, it may fix a period for the performance of that duty.

(2) If in the opinion of the State Government, the Authority fails or neglects to perform such duty within the period so fixed for its performance, it shall be lawful for the State Government to direct the Authority to rectify the defaults.

37. Dissolution of the Authority.- (1) The State Government may by notification, declare that with effect from such date as may be specified in the notification, the Authority shall be dissolved:

Provided that no such declaration shall be made by the State Government unless, a resolution to that effect has been moved in and passed by both Houses of the State Legislature.

(2) With effect from the date specified in the notification under sub-section (1),-

(a) all properties, funds and dues which are vested in and realizable by the Authority shall vest in and be realizable by the State Government.

(b) all liabilities enforceable against the Authority shall be enforceable against the State Government to the extent of the properties, funds and dues vested in and realized by the State Government.

38. Control by the State Government.- (1) The State Government shall have general administrative control and supervision over all the activities and affairs of the Authority.

(2) The State Government may call for the records of any proceedings of the Authority, the Commissioner or any officer subordinate to the Authority, for the purpose of satisfying itself as to the correctness, legality or propriety of such proceedings and may pass such order with respect thereto as it thinks fit.

39. State Government's powers to give directions.- The State Government may give such directions to the Authority as in its opinion are necessary or expedient for carrying out the purpose of this Act and it shall be the duty of the Authority, to comply with such directions.

40**. Removal of difficulties.-** If any difficulty arises in giving effect to the provisions of this Act, the State Government may by notification, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of two years from the date of commencement of this Act.

41. Power to make rules.- (1) The State Government may, by notification after previous publication make rules to carry out the purposes of this Act.

(2) Every rule or notification made under this Act shall be laid as soon as may be after it is made, before each House of the State Legislature while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule should not be made, the rule or notification shall, from the date on which the modification or annulment is notified have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without, prejudice to the validity of anything previously done under that rule or notification.

42. Power to make regulations.- The Authority may subject to the provisions of this Act and the rules made under section 41 and with the previous sanction of the State Government, by notification make regulations to carry out the purposes of this Act.

Schedule
[See clause (j) of section 2 and 19]
Sarvajna Kshetra, Heritage centers and Monuments

No	Places
1.	Abalur
2.	Masur
3.	Hirekerur
4.	Other Places in Haveri District which in the opinion of the Authority provide connectivity to the above places.

STATEMENT OF OBJECTS AND REASONS

Sarvajna was an greatest ancient Poet and Social Reformer of the ancient Karnataka and he was born in Abalur of Hirekere Taluk in Haveri District. Therefore, it is considered necessary to establish an Authority for the development and maintenance of the Sarvajna Kshetra including the place of birth of Sarvajna and other places situated in and around Hierekerur, Abalur and Masur of Hirekerur Taluk, Haveri District into international pilgrim and tourist Centre.

Hence, the Bill.

FINANCIAL MEMORANDUM

There will be an approximate recurring expenditure of rupees five crores per annum by the proposed legislative measure.

R.N.I. No. KARBIL/2001/47147 POSTAL REGN. No. RNP/KA/BGS/2202/2017-19
Licensed to post without prepayment WPP No. 297

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4: sub-clause (3), empowers the State Government to prescribe by rules the allowances receivable by the non-official members;

Clause 8: sub-clause (2) item (a), (b) and (c) respectively empowers the State Government to prescribe by rules,-

(i) the power to enter into and perform all such contracts as the Authority may consider necessary or expedient for carrying out the purposes of the Act;

(ii) the conditions subject to which the authority shall have power to borrow any sum required for the purposes of the Act; and

(iii) the restrictions, conditions and limitations for the formation of open spaces or for building purposes or in any other manner for the purpose of a development scheme.

Clause 12: sub-clause (1), empowers the State Government to prescribe by rules the number of employees to be appointed by the authority; and sub-clause (3) empowers the state Government prescribe by rules the method of recruitment and salaries, allowances other conditions of service of the employees of the authority.

Clause 16: sub-clause (4), empowers the State Government to prescribe by rules the contents of the note for circulation.

Clause 19: empowers the State Government to prescribe by rules the procedure for amendment of the Schedule.

Clause 30: empowers the State Government to prescribe by rules the preparation of the budget estimate.

Clause 31: empowers the State Government to prescribe by rules the manner of maintenance of books of accounts and other registers and also preparation of annual statement of accounts.

Clause 41: empowers the State Government to make rules after previous publication to carry out the purposes of the Act.

The Proposed delegation of legislative power is normal in character.

R. ASHOKA
Minister for Revenue

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

PR-115

ಮುದ್ರಕರು ಹಾಗೂ ಪ್ರಕಾಶಕರು:- ಸಂಕಲನಾಧಿಕಾರಿಗಳು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಸರ್ಕಾರಿ ಕೇಂದ್ರ ಮುದ್ರಣಾಲಯ, ಬೆಂಗಳೂರು-೫೯.

SUNIL GARDE Digitally signed by SUNIL GARDE Date: 2020.03.05 18:03:30 +05'30'